

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

*Second Regular Session and
Second Special Session*

Bill Summaries

*Joint Standing Committee
on
Inland Fisheries and Wildlife*

May 2004

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Maine State Legislature

Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature Second Regular Session and Second Special Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla/billsumm.htm).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY	Ruled out of order by the presiding officers; bill died
INDEF PP	Bill Indefinitely Postponed
ONT P.....	Ought Not To Pass report accepted
OTP-ND	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

David C. Elliott, Director

Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Inland Fisheries and Wildlife

LD 1743

An Act To Make Technical Corrections to Maine's Fish and Wildlife Laws

**PUBLIC 614
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP BRYANT	OTP-AM	H-781 H-834 DUNLAP S-464 BRYANT

LD 1743 proposed to make the following changes to the laws governing inland fisheries and wildlife:

1. Restrict the muzzle-loading open season on deer to hunting with a muzzle-loading firearm that is 40 caliber or greater and capable of firing only a single charge;
2. Repeal the provision that authorizes hunting deer with unconventional weapons;
3. Specify that the requirement that bait or baitfish be sold in biodegradable containers takes effect beginning January 1, 2005; and
4. Clarify that a new lake and river protection sticker must be obtained annually in order to be valid.

Committee Amendment "A" (H-781) proposed to prohibit the operation of motor vehicles on Pickerel Pond located in Township 32 Middle Division except for authorized emergency vehicles and motor vehicles of the Department of Inland Fisheries and Wildlife. It proposed to allow the sale of baitfish in containers composed in whole or in part of polystyrene foam plastic. Additionally, it proposed to change the effective date for Public Law 2003, chapter 414 from 90 days after adjournment of the Second Regular Session of the 121st Legislature to August 31, 2004. Finally, the amendment proposed to add an emergency preamble and emergency clause to the bill that would make it effective upon approval.

House Amendment "A" (H-834) proposed to provide that social security numbers in the possession of the Department of Inland Fisheries and Wildlife are not public records.

Senate Amendment "A" (S-480) proposed to provide that social security numbers in the possession of the Department of Inland Fisheries and Wildlife are not public records. (not adopted)

Senate Amendment "A" to Committee Amendment "A" (S-464) proposed to make Public Law 2003, chapter 511 effective on August 31, 2004.

Enacted Law Summary

Public Law 2003, chapter 614 makes the following changes to the laws governing inland fisheries and wildlife:

1. It restricts the muzzle-loading open season on deer to hunting with a muzzle-loading firearm that is 40 caliber or greater and capable of firing only a single charge;
2. It repeals the provision that authorizes hunting deer with unconventional weapons;

Joint Standing Committee on Inland Fisheries and Wildlife

3. It clarifies that a new lake and river protection sticker must be obtained annually in order to be valid;
4. It prohibits the operation of motor vehicles on Pickerel Pond located in Township 32 Middle Division except for authorized emergency vehicles and motor vehicles of the Department of Inland Fisheries and Wildlife;
5. It permits the sale of baitfish in containers composed in whole or in part of polystyrene foam plastic;
6. It changes the effective date for Public Law 2003, chapter 414 from 90 days after adjournment of the Second Regular Session of the 121st Legislature to August 31, 2004;
7. It provides that social security numbers in the possession of the Department of Inland Fisheries and Wildlife are not public records; and
8. It makes Public Law 2003, chapter 511 effective on August 31, 2004.

Public Law 2003, chapter 614 was enacted as an emergency measure effective April 12, 2004.

LD 1774 **Resolve, To Increase the Types of Legal Fishing on Fish River** **ONTP**

<u>Sponsor(s)</u> JACKSON BRYANT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1774 proposed to direct the Department of Inland Fisheries and Wildlife to adopt rules allowing fly fishing and the use of artificial lures and single-baited hooks for fishing in Fish River in the Town of Fort Kent.

LD 1796 **An Act To Authorize the Commissioner of Inland Fisheries and Wildlife To Increase the Number of Moose Permits in High-accident Areas** **ONTP**

<u>Sponsor(s)</u> PARADIS BRYANT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1796 proposed to give the Commissioner of Inland Fisheries and Wildlife the authority to forgo the rule-making procedure when responding to the need to increase the moose harvest due to an increase in moose-related vehicle accidents.