

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Inland Fisheries and Wildlife*

August 2005

Members:

*Sen. Bruce S. Bryant, Chair
Sen. Joseph C. Perry
Sen. Chandler E. Woodcock*

*Rep. Thomas R. Watson, Chair
Rep. Walter A. Wheeler, Sr.
Rep. Stanley A. Moody*

*Rep. Jacqueline A. Lundeen
Rep. Troy D. Jackson
Rep. Mark E. Bryant
Rep. A. David Trahan
Rep. Earl E. Richardson
Rep. Richard M. Cebra
Rep. David E. Richardson*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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).

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:

- CARRIED OVER Bill Carried Over to Second Regular Session
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
ONTP..... Ought Not To Pass report accepted
OTP ND..... Committee report Ought To Pass In New Draft
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
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 the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Inland Fisheries and Wildlife

Public Law 2005, chapter 177 exempts an all-terrain vehicle registered in another state or a province of Canada from the registration requirements of this State if that all-terrain vehicle is participating in a special event in Maine and the organizers of the special event have the prior approval of the Commissioner of Inland Fisheries and Wildlife.

Public Law 2005, chapter 177 was enacted as an emergency measure effective May 20, 2005.

LD 453 **An Act To Assist the Mobility of the Disabled in Hunting and Outdoor Recreation** **ONTP**

<u>Sponsor(s)</u> HUTTON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 453 proposed to authorize the Commissioner of Inland Fisheries and Wildlife to issue a complimentary ATV registration to a person who is a paraplegic or a single or double amputee.

LD 477 **An Act To Authorize the Use of Tribal Sustenance Hunting Permits on State Lands** **CARRIED OVER**

<u>Sponsor(s)</u> MOORE F		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 477 proposed to establish tribal sustenance moose hunting permits that would allow members of certain tribes to hunt moose on land owned by the State. The bill would require the Commissioner of Inland Fisheries and Wildlife to adopt rules to administer the permits and to protect the moose resource.

This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

LD 512 **An Act To Remove the Ethics Course Requirement for First Hunting and Fishing Violations and Require the Department of Inland Fisheries and Wildlife To Hold the Courses in a Location Within 100 Miles of All Citizens of the State** **ONTP**

<u>Sponsor(s)</u> JACKSON MARTIN		<u>Committee Report</u> ONTP MAJ OTP-AM MIN		<u>Amendments Adopted</u>
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LD 512 proposed to amend the law that requires a person who commits a hunting or fishing violation to take an outdoor ethics course to apply only to a 2nd or subsequent violation and not to a first violation. This bill would require the Department of Inland Fisheries and Wildlife, the Bureau of Warden Service to schedule any courses within 100 miles of the residence of a person taking the course.

Joint Standing Committee on Inland Fisheries and Wildlife

Committee Amendment "A" (H-388) was the minority report and would add an appropriations and allocations section to the bill.

LD 516 **An Act To Prohibit Bear Baiting within 100 Yards of an Adjoining Property** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH W MARTIN	ONTP	

LD 516 proposed to prohibit bear baiting within 100 yards of an adjoining property unless written permission was granted by the owner or lessee.

LD 531 **An Act To Limit the Harvesting of Eels in Maine Rivers** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON KAELIN	ONTP	

LD 531 proposed to prohibit the fishing for or taking of eels in Maine inland waters, except by eel pot or by hook and line.

LD 565 **An Act To Amend the Law Regarding Fishing Derbies** **PUBLIC 96
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIOTTI WESTON	OTP-AM	H-137

LD 565 proposed to exempt accredited postsecondary educational institutions that hold fishing derbies from the prize limits set by the Commissioner of Inland Fisheries and Wildlife for derbies if the derby event meets the following requirements:

1. Participants may not fish from motorboats;
2. Participants may only use artificial lures;
3. The derby must be an event that is only catch and release or catch, measure and release;
4. Participants may target only warm-water species;
5. There is a limit of one rod per person and a maximum of 2 rods per boat; and