

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Inland Fisheries and Wildlife*

July 2006

Members:

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

*Rep. Thomas R. Watson, Chair
Rep. Stanley A. Moody
Rep. Jacqueline A. Lundeen
Rep. Troy D. Jackson
Rep. A. David Trahan
Rep. Earl E. Richardson
Rep. Richard M. Cebra
Rep. David E. Richardson
Rep. Richard M. Sykes
Rep. Thomas B. Saviello*

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Maine State Legislature



Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second Regular 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 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
ONTP.....	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 (Pocket Veto).....	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 August 23, 2006.

Joint Standing Committee on Inland Fisheries and Wildlife

Committee Amendment "A" (S-494) proposed to clarify that provisions in the Maine Revised Statutes, Title 12, section 13157-A requiring landowner permission before operating an ATV on that landowner's property may not be construed to affect the lawful rights of a person holding an easement or right-of-way over the land of another.

LD 1939

An Act To Revise Certain Fish and Wildlife Laws

**PUBLIC 477
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT B WATSON	OTP-AM	S-446

LD 1939 proposed to make the following changes to fisheries and wildlife laws:

1. Change the State Government Evaluation Act review for the Department of Inland Fisheries and Wildlife from 2005 to 2007;
2. Change the penalty for taking an antlerless deer in Washington County without a permit from a Class E crime to a Class D crime and to increase the fine to a mandatory minimum fine of \$1,000 and at least 3 days in jail;
3. Clarify where a person can fish around fishways on East Grand Lake Dam and Spednic Lake Dam;
4. Clarify that the prohibition on possessing, selling or transporting an endangered or threatened species would apply to the parts of those species;
5. Provide a resident disabled veteran a complimentary migratory waterfowl permit, a bear hunting permit and a guide license if that veteran meets the qualifications for a guide license under the Maine Revised Statutes, Title 12;
6. Clarify that a person may not fish with more than 3 unbaited artificial flies individually attached to a line or hook;
7. Add snowmobiles and all-terrain vehicles to the provision of law regarding the admissibility in court of hospital test results when a person has been involved in an accident while operating a motor vehicle or watercraft under the influence;
8. Add .17 caliber firearms to the law prohibiting the use of .22 caliber firearms for hunting deer and moose;
9. Remove Long Lake Wildlife Management Area in Aroostook County from the list of designated wildlife management areas; and
10. Clarify that certain existing laws pertaining to hunting also apply to hunting with crossbows.

Committee Amendment "A" (S-446) proposed to allow a super pack licensee to harvest one deer during either the open firearm season or the special archery season or the special muzzle-loading season and one antlerless deer as provided by the license provisions. Currently, the holder of a super pack license may take 2 deer, one deer

Joint Standing Committee on Inland Fisheries and Wildlife

during the regular open firearm season only and one antlerless deer as provided by the license provisions. It would also make changes to certain ice fishing provisions in accordance with MCJUSTIS.

Enacted law summary

Public Law 2005, chapter 477 does the following:

1. It changes the State Government Evaluation Act review for the Department of Inland Fisheries and Wildlife from 2005 to 2007;
2. It changes the penalty for taking an antlerless deer in Washington County without a permit from a Class E crime to a Class D crime and increases the fine to a mandatory minimum fine of \$1,000 and at least 3 days in jail;
3. It clarifies where a person can fish around fishways on East Grand Lake Dam and Spednic Lake Dam;
4. It clarifies that the prohibition on possessing, selling or transporting an endangered or threatened species includes the parts of those species;
5. It provides a resident disabled veteran a complimentary migratory waterfowl permit, a bear hunting permit and a guide license if that veteran meets the qualifications for a guide license under the Maine Revised Statutes, Title 12;
6. It clarifies that a person may not fish with more than 3 unbaited artificial flies individually attached to a line or hook;
7. It adds snowmobiles and all-terrain vehicles to the provision of law regarding the admissibility in court of hospital test results when a person has been involved in an accident while operating a motor vehicle or watercraft under the influence;
8. It adds .17 caliber firearms to the law prohibiting the use of .22 caliber firearms for hunting deer and moose;
9. It removes Long Lake Wildlife Management Area in Aroostook County from the list of designated wildlife management areas;
10. It clarifies that certain existing laws pertaining to hunting also apply to hunting with crossbows;
11. It allows a super pack licensee to harvest one deer during either the open firearm season or the special archery season or the special muzzle-loading season and one antlerless deer as provided by the license provisions. Prior to Public Law 2005, chapter 477, the holder of a super pack license could take 2 deer; one deer during the regular open firearm season only and one antlerless deer as provided by the license provisions; and
12. It makes changes to certain ice fishing provisions in accordance with MCJUSTIS.

Public Law 2005, chapter 477 was enacted as an emergency measure effective March 8, 2006.