



## Joint Standing Committee on Inland Fisheries and Wildlife

LD 28 did not request additional funding, although it would have carried forward all unexpended balances appropriated in Resolve 1999, chapter 131, to be used by the commission during 2001 to complete its responsibilities.

**Committee Amendment "A" (H-21)** proposed to prohibit the commission from spending more money than is carried forward pursuant to section 9 of this resolve.

**Senate Amendment "A" (S-379)** proposed to change the reporting date from December 6, 2001 to December 5, 2001 and to limit the amount of time that could be granted for extensions. Additionally, this amendment proposed to specify that it is the chairs of the commission, rather than the entire commission, who may request assistance from various state agencies and the Office of Fiscal and Program Review.

### *Enacted law summary*

Resolve 2001, chapter 68, authorizes for an additional year, until December 6, 2001, the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft. That commission was originally authorized during the Second Regular Session of the 119th Legislature pursuant to Resolve 1999, chapter 131. This resolve requires the commission to report back to the legislature no later than December 5, 2001.

This resolve reappoints the 5 ex officio members of the commission appointed during the 119th Legislature and retains the legislative members appointed during the 119th Legislature who are now members of the 120th Legislature. Members who were appointed as legislative members in 1999 but who are no longer members of the Legislature are entitled to serve as ad hoc members of the commission during 2001.

This resolve carries forward all unexpended balances appropriated in Resolve 1999, chapter 131, to be used by the commission during 2001 to complete its responsibilities and prohibits the commission from spending more money than is carried forward pursuant to section 9 of this resolve.

Resolve 2001, chapter 68 was enacted as an emergency measure effective June 28, 2001.

### **LD 52                    An Act to Limit the Number of Chances a Person Has in the Moose Lottery    CARRIED OVER**

Sponsor(s)  
PERKINS

Committee Report

Amendments Adopted

LD 52 proposed to limit the number of chances a person has in the moose lottery to one chance for both residents and nonresidents.

## Joint Standing Committee on Inland Fisheries and Wildlife

LD 54

**An Act to Allow the Transfer of a Valid Turkey Permit to a Juvenile or Senior Citizen**

**PUBLIC 6**

<u>Sponsor(s)</u> MURPHY E		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 54 proposed to allow a juvenile or person 65 years of age or older to hunt turkey if an adult holding a valid turkey permit transfers the permit to the juvenile or person 65 years of age or older.

### *Enacted law summary*

Public Law 2001, chapter 6 allows an adult holding a valid turkey permit to transfer that permit to a juvenile or person 65 years of age or older.

LD 55

**An Act to Provide an Extra Hunting Opportunity for Junior License Holders**

**PUBLIC 131**

<u>Sponsor(s)</u> CHICK CARPENTER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-183
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LD 55 proposed to provide an extra day of hunting for junior license holders by designating the Saturday preceding the residents-only Saturday as a day for junior hunters only.

**Committee Amendment "A" (H-183)** proposed to allow the Commissioner of Inland Fisheries and Wildlife to establish a youth deer hunting day by rule. It also proposed to add a fiscal note to the bill.

### *Enacted law summary*

Public Law 2001, chapter 131 authorizes the Commissioner of Inland Fisheries and Wildlife to establish by rule deer hunting for youths.

LD 69

**An Act to Expand the Lifetime Hunting License**

**PUBLIC 37**

<u>Sponsor(s)</u> DUNLAP MARTIN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-20 H-45 DUNLAP
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LD 69 proposed to require the Department of Inland Fisheries and Wildlife to include in its recommendations for a lifetime hunting and fishing license the feasibility of an addition to that license allowing the license holder to hunt with a bow.

## Joint Standing Committee on Inland Fisheries and Wildlife

**Committee Amendment "A" (H-20)** proposed to require the Department of Inland Fisheries and Wildlife to include muzzle-loader opportunities in its recommendations to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters.

**House Amendment "A" (H-45)** proposed to add an archery hunting license as a type of resident lifetime license that may be purchased.

### *Enacted law summary*

Public Law 2001, chapter 37 requires the Department of Inland Fisheries and Wildlife to include in its recommendations for a lifetime hunting and fishing license the feasibility of an addition to that license allowing the license holder to hunt with a bow. This public law also requires the department to include muzzle-loader opportunities in its recommendations to the joint standing committee.

Public Law 2001, chapter 37 establishes an archery hunting license as a type of resident lifetime license that may be purchased and provides for an option to purchase a combination of all 3 lifetime license.

**LD 72**                      **An Act to Allow Bow Hunters to Take a Deer During Bow Hunting Season in Addition to the Deer Allowed During Firearm Season**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNE FERGUSON	ONTP	

LD 72 proposed to allow a person who has killed a deer during the special archery season for deer to hunt and kill a 2nd deer with a firearm during the regular firearm season for deer.

**LD 75**                      **Resolve, Directing the Department of Inland Fisheries and Wildlife to Establish a Preference Point System for the Moose Lottery**                      **ONTP**

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

LD 75 proposed to require the Department of Inland Fisheries and Wildlife to establish a preference point system for the issuance of moose permits.

## Joint Standing Committee on Inland Fisheries and Wildlife

LD 76

**Resolve, to Simplify the System of Licenses Issued by the  
Department of Inland Fisheries and Wildlife**

**RESOLVE 1**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP MARTIN	OTP	

LD 76 proposed to direct the Department of Inland Fisheries and Wildlife to design a system to consolidate and simplify license categories and fees and to submit its proposal to the Second Regular Session of the 120th Legislature.

### *Enacted law summary*

Resolve 2001, chapter 1 directs the Department of Inland Fisheries and Wildlife to design a system to consolidate and simplify license categories and fees and to submit its proposal to the Second Regular Session of the 120th Legislature.

LD 77

**An Act to Allow a Hunter a 2nd Deer During the Muzzle-loading  
Hunting Season**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCGLOCKLIN MCALEVEY	ONTP	

LD 77 proposed to allow a person who had killed a deer during the regular deer hunting season to hunt and kill a 2nd deer with a muzzle-loading firearm during the muzzle-loading hunting season for deer. The 2nd deer could be a buck only.

LD 104

**An Act to Provide Free Antlerless Deer Permits to Hunters 70  
Years of Age or Older**

**ONTP**

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

LD 104 proposed to allow a resident of the State who was 70 years of age or older to lawfully take an antlerless deer during the open season on deer.

## Joint Standing Committee on Inland Fisheries and Wildlife

LD 105

**An Act Concerning the Banding of Game Birds**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRACY CARPENTER	ONTP	

LD 105 proposed to remove the requirement that game birds possessed, propagated, imported or released by game bird suppliers or commercial shooting areas would be banded.

LD 107

**An Act Regarding the Enforcement of Laws in the Maine Revised Statutes, Title 12 by Passamaquoddy Wardens**

PUBLIC 30

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SOCTOMAH	OTP-AM	H-25

LD 107 proposed to provide wardens of the Passamaquoddy Tribe within the Passamaquoddy Indian Territory the powers of game wardens.

**Committee Amendment "A" (H-25)** proposed to add the requirement to the bill that Passamaquoddy wardens must qualify under written code before being granted the powers of outside game wardens.

### *Enacted law summary*

Public Law 2001, chapter 30 provides that wardens of the Passamaquoddy Tribe within the Passamaquoddy Indian Territory may qualify to be granted the powers of game wardens outside the Passamaquoddy Indian Territory.

LD 110

**An Act to Allow a 2nd Hunting Tag in Certain Zones**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN KILKELLY	ONTP	

LD 110 proposed to allow the Commissioner of Inland Fisheries and Wildlife to permit a person to hunt for and take a 2nd deer with a firearm during the open season on deer after that person had taken a deer and paid an additional \$50 fee. The commissioner would specify the sex of this 2nd deer and the zone from which it would be taken.

## Joint Standing Committee on Inland Fisheries and Wildlife

LD 127

**An Act to Change the Crop Damage by Nuisance Animal Requirements**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P CLARK	ONTP	

LD 127 proposed to prohibit a person convicted of night hunting within the past 10 years from killing or taking nuisance animals that damage crops or orchards. This bill also proposed to allow a person who killed or took nuisance animals to keep only 2 deer, moose or bear carcasses, with the Department of Inland Fisheries and Wildlife would take possession of any excess carcasses.

LD 141

**Resolve, for a Multi-year Experimental Program to Test the Effectiveness of Stocking Smelt in Maine Waters**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP CARPENTER		

LD 141 proposed a multi-year experimental program to test the effectiveness of stocking live smelt in the waters of the State.

LD 151

**An Act to Ensure that Fishways on Inland Waters are Working**

PUBLIC 146

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HONEY	OTP-AM	H-182

LD 151 proposed to require that the Department of Inland Fisheries and Wildlife check fishways at least annually. It also proposed to require the department to adopt rules to establish a schedule of fines for violations involving the improper operation of a fishway.

**Committee Amendment "A" (H-182)** proposed to require the Commissioner of Inland Fisheries and Wildlife to establish a program to ensure inland fishways are functioning correctly and to do so in cooperation with the Department of Marine Resources and the Atlantic Salmon Commission. This amendment also proposed to add a fiscal note to the bill.

### *Enacted law summary*

Public Law 2001, chapter 146 requires the Department of Inland Fisheries and Wildlife to check fishways annually and requires the Commissioner of Inland Fisheries and Wildlife to establish a program to ensure inland fishways are functioning correctly and to do so in cooperation with the Department of Marine Resources and the Atlantic Salmon

## Joint Standing Committee on Inland Fisheries and Wildlife

Commission. This public law also requires the department to adopt rules to establish a schedule of fines for violations involving the improper operation of a fishway.

**LD 166**                      **An Act Concerning Commercial Shooting Areas**

**PUBLIC 49**  
**EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRACY MCALEVEY	OTP-AM	H-58

LD 166 proposed to allow the Commissioner of Inland Fisheries and Wildlife to issue free special commercial shooting area hunting licenses to residents of the State who are 70 years of age or older.

**Committee Amendment "A" (H-5)** proposed to strike the bill and do the following:

1. It proposed to remove the requirement that game birds used by commercial shooting areas and game bird suppliers have leg bands;
2. It proposed to authorize the Commissioner of Inland Fisheries and Wildlife to allow commercial shooting areas to stock Hungarian partridge;
3. It proposed to require a commercial shooting area to provide each person taking birds in that area a receipted invoice or bill of sale for possession and transportation of those birds;
4. It proposed to provide that the distance between commercial shooting areas must be measured between the property lines at their closest points to each other and that a new license can not be issued to a new shooting area prior to 6 months after the expiration of a license possessed by an existing shooting area that is within 5 miles of the new shooting area unless the holder of the expired license states in writing to the commissioner that the license will be abandoned;
5. It proposed to allow the renewal of a shooting area license if applied for within 6 months of the expiration of the old license; and
6. It proposed to increase the fee for commercial shooting area licenses from \$333 to \$500 for the first year and from \$133 to \$250 for every year thereafter.

### *Enacted law summary*

Public Law 2001, chapter 49 allows commercial shooting areas to stock Hungarian partridge and removes the requirement that game birds used by commercial shooting areas possess leg bands. This public law clarifies the distance required between commercial shooting areas, the license issuance and renewal requirements, adds certain operational requirements and sets fees for operating a commercial shooting area.

Public Law 2001, chapter 49 was enacted as an emergency measure effective April 12, 2001.

## Joint Standing Committee on Inland Fisheries and Wildlife

**LD 190**

**Resolve, to Require the Building of a Full Boat Launch on the Northern End of Cobbosseecontee Lake**

**RESOLVE 6**

<u>Sponsor(s)</u> FULLER TREAT	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-26
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LD 190 proposed to prohibit the use of boat trailers and require that boats be hand carried at the boat launch at the northern end of Cobbosseecontee Lake in East Winthrop. Under this bill, enforcement would be specifically given to the Commissioner of Inland Fisheries and Wildlife.

**Committee Amendment "A" (H-26)** proposed to replace the bill and require the Department of Inland Fisheries and Wildlife to develop a full access boat launch and docking area with accompanying parking facilities at the existing boat launching site on the northern end of Cobbosseecontee Lake.

***Enacted law summary***

Resolve 2001, chapter 6 requires the Department of Inland Fisheries and Wildlife to develop a full access boat launch and docking area with accompanying parking facilities at the existing boat launching site on the northern end of Cobbosseecontee Lake.

**LD 200**

**An Act to Allow the Stocking of Hungarian Partridge**

**ONTP**

<u>Sponsor(s)</u> TRACY KILKELLY	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 200 proposed to allow the stocking and hunting of Hungarian partridge in commercial shooting areas. The bill also proposed to repeal the requirement of banding imported game birds.

**LD 227**

**An Act to Amend the Laws Pertaining to the Discharge of Firearms Near Certain Buildings**

**ONTP**

<u>Sponsor(s)</u> DUNLAP CARPENTER	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 227 proposed to provide that a person would be guilty of discharging a firearm near a dwelling or occupied building if that person discharged a firearm within 100 yards of an occupied building without the permission of the owner or an adult occupant of that building.

## Joint Standing Committee on Inland Fisheries and Wildlife

LD 229

**Resolve, Directing the Department of Inland Fisheries and Wildlife  
to Submit a Proposal to Encourage the Harvest of Coyotes**

**RESOLVE 8**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHICK	OTP-AM	H-98

LD 229 proposed to direct the Department of Inland Fisheries and Wildlife to propose recommendations to encourage the harvest of coyotes. The department would be required to submit its recommendations to the Joint Standing Committee on Inland Fisheries and Wildlife no later than January 1, 2002. The committee would report out legislation to the Second Regular Session of the 120th Legislature.

**Committee Amendment "A" (H-98)** proposed to require the Department of Inland Fisheries and Wildlife to review its animal damage control program, in consultation with the department's regional coyote snaring steering committees, focusing on the deployment of trappers to snare coyotes in deer yards during winter months. The department would report back its findings and proposed plans to implement those findings to the Joint Standing Committee on Inland Fisheries and Wildlife by October 1, 2001. The department would implement its proposed plans during the 2001-02 winter in areas where predation by coyotes poses a threat to deer. The amendment also proposed to add a fiscal note to the bill.

### *Enacted law summary*

Resolve 2001, chapter 8 requires the Department of Inland Fisheries and Wildlife to review its animal damage control program, in consultation with the department's regional coyote snaring steering committees and to report back its findings and proposed plans to implement those findings to the Joint Standing Committee on Inland Fisheries and Wildlife by October 1, 2001. This resolve requires the department to implement its proposed plans during the 2001-02 winter in areas where predation by coyotes poses a threat to deer.

LD 232

**An Act to Regulate the Marking and Placement of Baitfish Traps,  
Baitfish Holding Boxes and Buoys in Inland Waters**

**ONTP**

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

LD 232 proposed to require all baitfish traps, baitfish holding boxes and associated buoys to be labeled with the owner's name, address and current telephone number. The bill proposed to establish minimum size and reflective coating requirements for all buoys. The bill also proposed to establish the minimum distance baitfish traps and baitfish boxes would be located from public and private boat launches, docks, wharfs, moorings, bridges and trestles. In addition, the bill proposed to prohibit the placement of a baitfish trap or baitfish holding box in a channel or within 50 feet of the edge of the channel. The bill also proposed to prohibit the placement of a baitfish trap or holding box within 50 feet of another baitfish trap or holding box.

## Joint Standing Committee on Inland Fisheries and Wildlife

**LD 234**

**An Act Regarding Hunts of Nuisance Animals**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P SCHNEIDER	ONTP	

LD 234 proposed to allow only people whose land was open for hunting to obtain written permission from a game warden to employ agents to take and kill nuisance animals. This bill proposed to require people whose land was closed to hunting to apply to the game warden for a hunt to be conducted using hunters chosen by lottery. This bill also proposed to require the landowner to donate any excess carcasses after the first 2 carcasses of deer taken or killed to the Hunters for the Hungry Program.

**LD 287**

**An Act to Allow the Use of Cage Traps for Bear**

**CARRIED OVER**

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

LD 287 proposed to allow a hunter to use cage traps to trap bear.

**LD 315**

**Resolve, Directing the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes to Prepare a Recodification of the Inland Fisheries and Wildlife Laws**

**INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER DUNLAP		

LD 315 proposed to direct the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes to recodify the laws related to inland fisheries and wildlife.

**LD 335**

**An Act to Change the Snowmobile Registration Laws**

**PUBLIC 424**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY DUNLAP	OTP-AM	S-133

Under current law, a snowmobile may be operated in the State without being registered in the State if the snowmobile is registered in another area that grants Maine residents a reciprocal privilege. LD 335 proposed to

## Joint Standing Committee on Inland Fisheries and Wildlife

require all nonresidents who snowmobile in Maine to register their snowmobiles in Maine. This bill proposed to specifically exclude from this requirement snowmobiles and grooming equipment registered to snowmobile clubs, municipalities or counties and engaged in trail grooming activities.

**Committee Amendment "A" (S-133)** proposed to exclude federal and state snowmobiles and grooming equipment from the registration requirement and authorize the Commissioner of Inland Fisheries and Wildlife to designate a weekend when snowmobiles registered out-of-state may be operated in Maine. The amendment also proposed to allow snowmobiles registered in New Hampshire or Canada to be operated on boundary ponds and lakes without being registered in Maine. It also proposed to add an appropriation and allocation section and a fiscal note to the bill.

### *Enacted law summary*

Public Law 2001, chapter 424 requires all nonresidents who snowmobile in Maine to register their snowmobiles in Maine. Snowmobiles and grooming equipment registered to snowmobile clubs, municipalities or counties from a bordering state or province that are engaged in trail grooming activities are excluded from this requirement. Additionally, this Public Law excludes federal and state snowmobiles and grooming equipment from the registration requirement and authorizes the Commissioner of Inland Fisheries and Wildlife to designate a weekend when snowmobiles registered out-of-state may be operated in Maine.

**LD 347**

**An Act to Amend Certain Provisions of Maine's Wild Turkey  
Hunting Season**

**PUBLIC 56**

Sponsor(s)  
HONEY  
MARTIN

Committee Report  
OTP-AM

Amendments Adopted  
H-59

LD 347 proposed to repeal the specified dates for the State's wild turkey hunting season, instead allowing the Commissioner of Inland Fisheries and Wildlife to establish an open season. In addition, it proposed to clarify the law pertaining to eligibility to apply for permits to be consistent with moose permit applicants as well as giving the commissioner the authority to give special consideration to landowners, such as establishing a landowner permit drawing by rule.

**Committee Amendment "A" (H-59)** proposed to remove the requirement that alternative hunters be chosen to receive permits in the event selected hunters do not obtain their permits.

### *Enacted law summary*

Public Law 2001, chapter 56 repeals the specified dates for the State's wild turkey hunting season and allows the Commissioner of Inland Fisheries and Wildlife to establish an open season. In addition, this Public Law clarifies the law pertaining to eligibility to apply for permits to be consistent with moose permit applicants as well as giving the commissioner the authority to give special consideration to landowners, such as establishing a landowner permit drawing by rule. Finally, this Public Law removes the requirement that alternative hunters be chosen to receive turkey permits in the event selected hunters do not obtain their turkey permits.

## Joint Standing Committee on Inland Fisheries and Wildlife

**LD 348**

**An Act to Clarify the Laws Pertaining to Licensing Requirements  
for Landowners**

**PUBLIC 270**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP	OTP      MAJ	
KILKELLY	ONTP    MIN	

LD 348 proposed to clarify that any person whose hunting, fishing or trapping license is under revocation or suspension may not hunt, fish or trap on land owned by that person or that person's family while the license is under suspension or revocation. This bill proposed to correct a conflict with another provision that states that a person is guilty of violation of a suspended or revoked license or permit if that person engages in the activity permitted by a particular license or permit that has been suspended or revoked.

***Enacted law summary***

Public Law 2001, chapter 270 clarifies that any person whose hunting, fishing or trapping license is under revocation or suspension may not hunt, fish or trap on land owned by that person or that person's family while the license is under suspension or revocation.

**LD 365**

**An Act to Restore the Passage of Alewives on the St. Croix River**

**DIED BETWEEN  
BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HONEY	ONTP    REP	
KILKELLY	OTP-AM    REP	
	OTP-AM    REP	

LD 365 proposed to require the Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife to ensure by May 1, 2001 that fishways on the Woodland Dam and the Grand Falls Dam, both located on the St. Croix River, were configured or operated in a manner that allowed the passage of alewives.

**Committee Amendment "A" (H-433)** proposed to remove the emergency provisions and require the Department of Marine Resources and the Department of Inland Fisheries and Wildlife to allow the passage of no more than 90,000 alewives annually at the Woodland Dam and Grand Falls Dam located on the St. Croix River by May 1, 2002. The amendment also proposed to require both departments to report back to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and the joint standing committee of the Legislature having jurisdiction over marine resources matters on December 31, 2003 and every 2 years thereafter regarding the impact the additional alewives have on the upstream ecosystem and fisheries. The amendment proposed to grant the Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife the authority to close the fishway by routine technical rulemaking if the commissioners determined that the fisheries in the St. Croix River were being adversely impacted by anadromous fish utilizing the fishways on the river. The amendment proposed to require the commissioners to report back to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and the joint standing committee of the Legislature having jurisdiction over marine resources matters within 90 days of the closure of a fishway on the St. Croix River. It also proposed to add a fiscal note to the bill.

## Joint Standing Committee on Inland Fisheries and Wildlife

**Committee Amendment "B" (H-434)**, a minority report, proposed to require the Legislative Council, in consultation with the chairs of both the Joint Standing Committee on Inland Fisheries and Wildlife and the Joint Standing Committee on Marine Resources and upon recommendation of the Office of Policy and Legal Analysis, to hire an independent consultant to study the biological and economic issues surrounding the proposed passage of alewives at the Woodland Dam and Grand Falls Dam fishways. The resolve proposed to direct the consultant to work under the auspices of the Office of Policy and Legal Analysis in consultation with numerous interested governmental and private organizations and to report back to the Joint Standing Committee on Inland Fisheries and Wildlife and the Joint Standing Committee on Marine Resources no later than January 1, 2002. The resolve also proposed to appropriate \$50,000 from the General Fund to carry out the purposes of this resolve. The amendment also proposed to add an appropriation section and a fiscal note to the bill

**House Amendment "A" (H-495)** proposed that, by May 1, 2002, the Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife would ensure that fishways on the Woodland Dam on the St. Croix River were configured or operated in a manner that allowed the passage of no more than 5,000 alewives per year. It also proposed to require the commissioners to ensure that fishways on the Grand Falls Dam on the St. Croix River were configured or operated in a manner that prevented the passage of alewives.

**LD 409**                      **An Act Related to Nonresident Deer Hunters**                      **DIED IN CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
USHER WOODCOCK	ONTP      MAJ OTP      MIN	

LD 409 provides that opening day of deer season is for residents and nonresidents alike.

**LD 427**                      **An Act to Delegate the Authority to Regulate Personal Watercraft in Unorganized Territories to County Commissioners**                      **ONTP**

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

LD 427 proposed to give the authority to regulate personal watercraft to county commissioners in unorganized and deorganized townships and to plantation and municipal legislative bodies in municipalities that used to be unorganized or deorganized townships.

## Joint Standing Committee on Inland Fisheries and Wildlife

**LD 440**

**An Act to Exempt from the Definition of "Watercraft" Permanently Affixed Boats**

**PUBLIC 191**

<u>Sponsor(s)</u> FULLER GAGNON		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 440 proposed to amend the definition of "watercraft" in the laws governing inland fisheries and wildlife to specifically exclude watercraft that are permanently docked in one location and are not used as a means of transportation on water.

### *Enacted law summary*

Public Law 2001, chapter 191 amends the definition of "watercraft" in the laws governing inland fisheries and wildlife to specifically exclude watercraft that are permanently docked in one location and are not used as a means of transportation on water.

**LD 450**

**An Act to Eliminate the Coyote Snaring Program**

**ONTP**

<u>Sponsor(s)</u> BULL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 450 proposed to repeal the statutory authorization for the coyote snaring program and deappropriate funding associated with the direct costs of the program.

**LD 514**

**An Act to Require Public Access to All State Waters**

**ONTP**

<u>Sponsor(s)</u> MORRISON SHOREY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 514, a concept draft pursuant to Joint Rule 208, proposed to establish a Blue Ribbon Task Force to work with the Department of Inland Fisheries and Wildlife to explore mechanisms to ensure that the public had adequate and reasonable access to all inland waters in the State.

## Joint Standing Committee on Inland Fisheries and Wildlife

**LD 541**                      **An Act to Provide a New Opportunity in the Moose Lottery**                      **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP KILKELLY		

LD 541 proposed to allow the Commissioner of Inland Fisheries and Wildlife to trade one nonresident moose permit with the appropriate fish and wildlife officials in another state for a big game permit in that state. LD 541 would have authorized the commissioner to award the out-of-state big game permit to a resident of Maine in a free lottery system.

**LD 542**                      **An Act to Expand the Muzzle-loading Season to 15 Hunting Days**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE CARPENTER	ONTP	

LD 542 proposed to extend the muzzle-loading season to 15 hunting days from a current maximum of 12 hunting days established by the Commissioner of Inland Fisheries and Wildlife.

**LD 586**                      **An Act to Clarify the Testing Process for the Licensing of Guides**                      **PUBLIC 55**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY DUNLAP	OTP-AM	S-24

LD 586 proposed to add a member to the Advisory Board for the Licensing of Guides and authorize the board to designate certain persons to assist in the oral examination process and provide for compensation for persons so designated by the board.

**Committee Amendment "A" (S-24)** proposed to add an emergency preamble and emergency clause to the bill. It also proposed to add a fiscal note.

### *Enacted law summary*

Public Law 2001, chapter 55 adds a member to the Advisory Board for the Licensing of Guides and authorizes the board to designate certain persons to assist in the oral examination process and provides for compensation for persons so designated by the board.

Public Law 2001, chapter 55 was enacted as an emergency measure effective April 12, 2001.

# Joint Standing Committee on Inland Fisheries and Wildlife

LD 587

An Act to Clarify Laws Pertaining to Nuisance Wildlife

PUBLIC 199

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY	ONTP MAJ	S-84
DUNLAP	OTP-AM MIN	

LD 587 proposed to make several changes to the section of law that deals with nuisance animals in general and depredation permits for landowners, farmers and orchard owners. It proposed to add domestic birds to the provision that allows a person to kill any wild animal found attacking or wounding that person's domestic animals or destroying that person's property.

The bill proposed to clarify that all types of grasses are excluded from the provision that allow an owner of orchards or growing crops to kill wild animals that are doing substantial damage to that person's orchards or crops and that the wild animal must be in the act of doing the damage.

In addition, the bill proposed to require that when an orchard owner or landowner employs someone outside of the immediate family to kill wild animals under the provisions of this law that written permission to employ such a person must be obtained from a game warden.

It proposed to change the reference from a game warden to the Maine Warden Service under the reporting requirements so that if a game warden can not be contacted, a person may call one of the regional headquarters instead.

It proposed to clarify that in all cases of deer, bear or moose being killed, a person must immediately and properly dress the carcass and care for the meat to prevent spoilage.

Finally, the bill proposed to prohibit failing to report or properly care for the carcass and meat of a wild animal killed pursuant to this law.

**Committee Amendment "A" (S-84)** proposed to require that a wild animal be located within the crop or orchard where substantial damage is occurring before it can be harvested as a nuisance animal. The amendment proposed to remove the bill's requirement that written permission be obtained from a game warden before employing someone outside the immediate family and provided instead that when a person wishes to employ someone outside of the immediate family to take or kill wild animals, that person must contact a game warden to arrange for a person to alleviate the damage. When the warden is satisfied that damage is occurring, the warden may arrange for a department agent to alleviate the damage or, when an agent is not available, authorize a person to perform the work. Additionally, the amendment proposed to prohibit a person whose license to hunt has been revoked or suspended or who is an habitual violator as defined in the Maine Revised Statutes, Title 12, section 7001, subsection 13-A or has been convicted of night hunting within the past 5 years from being eligible to receive permission to take or kill a wild animal pursuant to this section. The amendment also proposed to provide that the cultivator, owner, mortgagee or keeper of the crop or orchard is entitled to ownership of the carcass, not the person who harvested the animal, and provide that the owner of the carcass may transfer possession of the carcass to another person in accordance with labeling requirements for deer, bear and moose. The amendment proposed to limit the wild animals that must be properly cared for to deer, bear and moose. Finally, the amendment proposed to authorize the commissioner to issue a permit to a person entrusted with the custody of a beekeeper's beehives allowing the person to protect the beehives from bear damage.

## Joint Standing Committee on Inland Fisheries and Wildlife

### *Enacted law summary*

Public Law 2001, chapter 199 makes several changes to the section of law that deals with nuisance animals and depredation permits for landowners, farmers and orchard owners. Specifically, Public Law 2001, chapter 199 requires that a wild animal be located within the crop or orchard where substantial damage is occurring before it can be harvested as a nuisance animal. This public law allows a person to employ someone outside of the immediate family to take or kill wild animals so long as that person first contacts a game warden to arrange for a person to alleviate the damage. Additionally, this public law prohibits certain persons from being eligible to receive permission to take or kill a wild nuisance animal.

Public Law 2001, chapter 199 provides that the cultivator, owner, mortgagee or keeper of the crop or orchard is entitled to ownership of the carcass, not the person who harvested the animal, and provides that the owner of the carcass may transfer possession of the carcass to another person in accordance with labeling requirements for deer, bear and moose. This public law limits the wild animals that must be properly cared for to deer, bear and moose. Finally, this public law authorizes the commissioner to issue a permit to a person entrusted with the custody of a beekeeper's beehives allowing that person to protect the beehives from bear damage.

**LD 596**                      **An Act to Expand Youth Conservation Education Programs**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO KNEELAND	ONTP	

LD 596 proposed to provide for a percentage of revenue from the public chance drawing for moose hunting permits to be used to fund youth conservation education programs.

**LD 625**                      **An Act to Compensate Citizens When Property is Seized Wrongfully and Damaged**                      **ONTP**

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

LD 625 proposed to require that if fish, wildlife or equipment seized by a game warden had been damaged or destroyed and the court found that the fish, wildlife or equipment was not possessed in violation of the applicable fish and wildlife laws, then the court would order that the claimant be reimbursed by the Department of Inland Fisheries and Wildlife for the value of the destroyed or damaged items.

## Joint Standing Committee on Inland Fisheries and Wildlife

**LD 648**

**An Act to Increase the Period of Ineligibility for the Moose Lottery to 5 years**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERKINS WOODCOCK	ONTP	

LD 648 proposed to increase the period of ineligibility for the moose lottery from 2 years to 5 years for a person who was successful in the taking of a moose during the previous open moose season. It also proposed to provide for automatic eligibility in the public chance drawing for any person who obtained a moose hunting permit during the previous open moose season but was unsuccessful in the taking of a moose.

**LD 655**

**An Act to Clarify the Rights of Residents Within Wildlife Sanctuaries**

**PUBLIC 198**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHEELER G LEMONT	OTP-AM	H-259

LD 655 proposed to allow a person who lives in a privately owned residence in a wildlife sanctuary to own and possess a firearm, store the firearm in the person's residence and transport the firearm to and from the residence.

**Committee Amendment "A" (H-259)** proposed to repeal the ban on having hunting implements in wildlife sanctuaries.

### *Enacted law summary*

Public Law 2001, chapter 198 repeals the ban on possession of hunting implements in wildlife sanctuaries.

**LD 673**

**An Act to Require Alien Big Game Hunters to be Accompanied by a Guide**

**DIED IN CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN DUNLAP	ONTP      MAJ OTP-AM    MIN	

LD 673 would make it illegal for an alien to hunt big game without being accompanied by a licensed guide.

**Committee Amendment "A" (S-142)**, the minority amendment, proposed to require that only aliens who are citizens of Canada and not permanent resident aliens employ and hunt with a resident Maine guide when hunting big game.

## Joint Standing Committee on Inland Fisheries and Wildlife

The amendment also proposed to add a fiscal note to the bill.

**LD 675**                      **Resolve, to Establish Rules for On-line Sales of Hunting and Fishing Licenses and Watercraft, Snowmobile and All-terrain Vehicle Registrations**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACOBS NUTTING J	ONTP	

LD 675 proposed to require the Commissioner of Inland Fisheries and Wildlife to adopt major substantive rules that established criteria to govern the requirement that agents of the Department of Inland Fisheries and Wildlife would develop computer interactive capacity in order to sell hunting and fishing licenses and register watercraft, snowmobiles and all-terrain vehicles. At minimum the commissioner would be required to develop rules that:

1. Created a pilot program to test the on-line program,
2. Established a 5-year timetable for requiring agents to sell on-line licenses and registrations,
3. Ensured that license and registration documentation would not easily be reproduced and
4. Created an electronic transfer of funds system that was agreed to by the department and agents.

**LD 702**                      **An Act to Prohibit the Sale of Bear and Bear Parts**                      **ONTP**

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

LD 702 proposed to prohibit the sale of bear parts and any product that contained bear parts.

**LD 734**                      **An Act Concerning Lifetime Licenses and Complimentary Licenses for Residents over 70 Years of Age**                      **PUBLIC 351**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP	OTP-AM    MAJ ONTP        MIN	H-565

LD 734 proposed to require the Department of Inland Fisheries and Wildlife to discontinue issuing a complimentary license to hunt, trap or fish to a resident over 70 years of age.

## Joint Standing Committee on Inland Fisheries and Wildlife

**Committee Amendment "A" (H-565)** is the majority report of the Joint Standing Committee on Inland and Fisheries and Wildlife and proposed to provide the holder of a senior lifetime license who turns 70 years of age to privileges extended under a complimentary license. Additionally, the amendment proposed to allow a person 70 years of age or older who does not hold a senior lifetime license to purchase one that includes all of the additional privileges for \$8.

The amendment also proposed to add a fiscal note to the bill.

### *Enacted law summary*

Public Law 2001, chapter 351 requires the Department of Inland Fisheries and Wildlife to discontinue issuing a complimentary license to hunt, trap or fish to a resident over 70 years of age by January 1, 2006. This public law provides the holder of a senior lifetime license who turns 70 years of age to privileges extended under a complimentary license. Additionally, this public law allows a person 70 years of age or older who does not hold a senior lifetime license to purchase one that includes all of the additional privileges for \$8.

**LD 735**

**An Act to Allow October Fishing**

**CARRIED OVER**

Sponsor(s)  
DUNLAP  
GAGNON

Committee Report

Amendments Adopted

LD 735 proposed to allow October fishing in certain counties in the State.

**LD 736**

**An Act to Require State Approval Prior to Introducing Wolves into  
Maine**

**PUBLIC 227**

Sponsor(s)  
DUNLAP  
MARTIN

Committee Report  
OTP-AM MAJ  
ONTP MIN

Amendments Adopted  
H-348

LD 736 proposed to prohibit the release of wolves in the State without the prior approval of both Houses of the Legislature and the Commissioner of Inland Fisheries and Wildlife. The bill also proposed to direct the commissioner to work with the United States Fish and Wildlife Service to ensure that any recovery plan for the gray wolf in an area that includes the State includes a provision that allows the State to prohibit the introduction of the gray wolf within the borders of the State.

**Committee Amendment "A" (H-348)**, which is the majority report of the committee, proposed to strike that portion of the bill that directed the Commissioner of Inland Fisheries and Wildlife to work with the Federal Government to ensure that any gray wolf recovery plan allows the State to prohibit the introduction of the gray wolf within its borders. The amendment proposed to retain that portion of the bill that prohibits the release of wolves in Maine without prior approval of the Legislature and the Commissioner of Inland Fisheries and Wildlife.

# Joint Standing Committee on Inland Fisheries and Wildlife

## *Enacted law summary*

Public Law 2001, chapter 227 prohibits the release of wolves in the State without the prior approval of both Houses of the Legislature and the Commissioner of Inland Fisheries and Wildlife.

**LD 742**                      **An Act to Provide Fishing Access Signs**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP	ONTP      MAJ	
GAGNON	OTP-AM      MIN	

LD 742 proposed to authorize the support landowners program of the landowner relations program in the Department of Inland Fisheries and Wildlife to develop, distribute and erect signs that directed anglers to water access sites.

**Committee Amendment "A" (H-345)**, the minority report of the committee proposed to amend the bill by adding an appropriation section and a fiscal note to the bill.

**LD 760**                      **An Act to Amend the Laws Regarding Bear Baiting**                      **ONTP**

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

LD 760 proposed to amend the laws regarding bear baiting by adding language that clarified that a fee that was less than \$5 could be charged for the placing of bear bait. The bill also proposed to require that a person who placed bear bait would get permission in writing from the landowner. The bill proposed to prohibit the placing of a stand or blind within 300 feet from the bait and prohibited a person placing more than 10 bear baits at one time.

**LD 761**                      **An Act Pertaining to Bear Hunting Permits**                      **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP		
KILKELLY		

LD 761 proposed to establish a new bear hunting permit that would have made the black bear hunting permit equivalent to that of other big game species and eliminated the system that allowed hunters to take a bear without a permit. Additionally, this bill would have established a mechanism that could be used in the future to better distribute bear hunting pressure.

## Joint Standing Committee on Inland Fisheries and Wildlife

LD 775

**An Act to Establish a Primitive Firearms Season for Deer**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCALEVEY	ONTP MAJ	
DUNLAP	OTP-AM MIN	

LD 775 proposed to establish an annual special primitive firearms hunting season on deer from the 6th Monday preceding Thanksgiving to the 5th Monday preceding Thanksgiving, one week prior to the open season on deer. The bill proposed to provide eligibility requirements for a primitive firearms license and establish a license fee schedule. The bill would not require hunters to wear hunter orange clothing during the special primitive firearms season.

**Committee Amendment "A" (S-175)**, the minority report, proposed to add an appropriation section and a fiscal note to the bill.

LD 799

**An Act to Amend the Authority of the Commissioner of Inland Fisheries and Wildlife to Authorize Any-deer Hunting**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHEELER G	ONTP	
GAGNON		

LD 799 proposed to allow the Commissioner of Inland Fisheries and Wildlife to authorize the taking of deer of either sex without an antlerless deer permit during the regular hunting season or special muzzle-loading hunting season for an area open to hunting demarcated by the commissioner.

LD 825

**An Act to Require Free Access to Waters Stocked by the State**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK	ONTP MAJ	
	OTP-AM MIN	

LD 825 proposed to provide that fish or fish spawn raised by the State could not be introduced in any inland waters unless free access to the public was available whenever these waters were open to fishing pursuant to law.

**Committee Amendment "A" (H-349)**, part of the minority report, proposed to prohibit the Department of Inland Fisheries and Wildlife from stocking with fish or fish eggs waters that the public did not have free access to or access to for a reasonable fee. The amendment also proposed to require that the department report annually to the joint standing committee of the Legislature having jurisdiction over fisheries and wildlife matters regarding access to state-stocked waters and any fees charged for access to those waters. The amendment also proposed to add a fiscal note to the bill.

## Joint Standing Committee on Inland Fisheries and Wildlife

**LD 875**                      **Resolve, Directing the Department of Inland Fisheries and Wildlife to Create a Gun Safety Program**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MENDROS	ONTP      MAJ	
SAWYER	OTP-AM      MIN	

LD 875 proposed to direct the Department of Inland Fisheries and Wildlife to develop a gun safety program for the elementary schools in the State.

**Committee Amendment "A" (H-181)**, the minority report, proposed to add an appropriation section that appropriates \$140,000 and \$150,000 in fiscal years 2001-02 and 2002-03, respectively, from the General Fund and added a fiscal note to the resolve.

**LD 940**                      **An Act to Improve Funding for Snowmobile Trail Maintenance**                      **ONTP**

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

LD 940 proposed to increase resident and nonresident snowmobile registration rates by \$5 and dedicate that amount to a special fund administered by the Off-Road Recreational Vehicle Division of the Department of Conservation, Bureau of Parks and Lands to assist any entity that has a snowmobile trail grooming contract with the bureau in the purchase of trail grooming equipment. Exempt from this increase would be any snowmobile registered as an antique under the Maine Revised Statutes, Title 12, section 7824, subsection 2-B.

The bill also proposed to require all nonresidents who snowmobile in Maine to register their snowmobiles in Maine. It proposed to specifically exclude from this requirement snowmobiles and grooming equipment registered to snowmobile clubs, municipalities, counties or provinces and engaged in trail grooming activities. It also proposed to increase the percentage set aside from the "gasoline tax" from .5% to .8%.

**LD 992**                      **An Act to Permit the Department of Inland Fisheries and Wildlife to Accept Gifts for the Benefit of Wildlife Protection and Conservation**                      **PUBLIC 204**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMALL	OTP-AM	S-117
ETNIER		

LD 992 proposed to allow a state agency to conduct a raffle for a donated item to benefit fish and wildlife conservation projects.

## Joint Standing Committee on Inland Fisheries and Wildlife

**Committee Amendment "A" (S-117)** proposed to limit the number of raffles a state agency may conduct to 2 per year. It also proposed to add a fiscal note to the bill.

### *Enacted law summary*

Public Law 2001, chapter 204 allows a state agency to conduct no more than 2 raffles annually of donated items to benefit fish and wildlife conservation projects.

**LD 1067**                      **An Act to Prohibit the Use of Dogs or Bait While Hunting Bear**                      **ONTP**

<u>Sponsor(s)</u> DAVIS G		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1067 proposed to prohibit the use of dogs and the placing of bait when hunting bear.

**LD 1078**                      **An Act to Restrict the Commercial Harvest of Snapping Turtles in Order to Ensure Sustainability of the Resource**                      **PUBLIC 200**

<u>Sponsor(s)</u> DUNLAP LEMONT		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1078 proposed to clarify the rule-making authority of the Commissioner of Inland Fisheries and Wildlife to regulate the commercial harvest of snapping turtles, including establishing a season, size and possession limits, a fee schedule and reporting requirements.

### *Enacted law summary*

Public Law 2001, chapter 200 clarifies the rule-making authority of the Commissioner of Inland Fisheries and Wildlife to regulate the commercial harvest of snapping turtles, including establishing a season, size and possession limits, a fee schedule and reporting requirements.

**LD 1173**                      **An Act to Enhance Storage of Fish and Wildlife**                      **DIED BETWEEN BODIES**

<u>Sponsor(s)</u> SAVAGE W DAVIS P		<u>Committee Report</u> ONTP      MAJ OTP-AM    MIN		<u>Amendments Adopted</u>
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LD 1173 proposed that any possession, bag or catch limit set by rule for fish and game did not apply for fish and game legally harvested and removed to the legal residence of the person harvesting the fish or game.

## Joint Standing Committee on Inland Fisheries and Wildlife

**Committee Amendment "A" (H-421)**, the minority report of the Joint Standing Committee on Inland Fisheries and Wildlife, proposed to require that the game be kept permanently at the residence of the person who took the game.

**LD 1186**                      **Resolve, to Address the Problem of Illegal Fish Stocking**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP CARPENTER	ONTP	

LD 1186 proposed to require the Department of Inland Fisheries and Wildlife to create a comprehensive policy on illegal introductions of fish to the State's waters. The policy would include steps the department would take to eradicate illegal species that were introduced in waters of the State. The policy would focus on prevention and establish an educational program on this issue within the Division of Public Information and Education.

**LD 1193**                      **An Act to Clarify Certain Laws Relating to the Harvesting of Wild Animals**                      **PUBLIC 307**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP KILKELLY	OTP-AM	H-292 H-426 DUNLAP

LD 1193 proposed to clarify laws involving trapping. The bill proposed to:

1. Create a new definition of "drowning set" and repeal the definition of "water set";
2. Clarify that all animal control officers must have a trapping license prior to setting traps for wild animals;
3. Add "trapping license" to the list of complimentary licenses for which disabled veterans are eligible;
4. Amend the current trap tending requirements by replacing the term "water set" with the term "drowning set";
5. Clarify that it is legal to use snares for animal damage control purposes. It also removes pivot and swivel guns from the list of prohibited implements; and
6. Amend the list of exceptions to the trapping laws and adds language clarifying that the only exceptions to the written permission requirements when trapping on another's land in organized towns are when trapping beaver and when trapping with the use of drowning sets in great ponds, navigable waters and waters on lands that are publicly owned.

## Joint Standing Committee on Inland Fisheries and Wildlife

**Committee Amendment "A" (H-292)** proposed to exempt trappers who use drowning sets placed in navigable rivers or streams or on state-owned land and right of ways from the requirement of first obtaining written permission from the landowner or occupant.

**House Amendment "A" to Committee Amendment "A" (H-426)** proposed to correct cross-references and a clerical error.

### *Enacted law summary*

Public Law 2001, chapter 307 requires animal control officers to possess a trapping license prior to setting traps for wild animals and clarifies that it is legal to use snares for animal damage control purposes. It also removes pivot and swivel guns from the list of prohibited implements. This public law amends the list of exceptions to the trapping laws and exempts trappers who use drowning sets placed in navigable rivers or streams or on state-owned land and right of ways from the requirement of first obtaining written permission from the landowner or occupant but clarifies that the law does not authorize a person to trap on property that is owned by another person. This public law also adds "trapping license" to the list of complimentary licenses for which disabled veterans are eligible.

**LD 1207**                      **An Act to Allow a Hunter to Take a Deer of Either Sex in Black Powder Season**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P CLARK	ONTP	

LD 1207 proposed to allow a hunter to take a deer of any sex during the muzzle-loading open hunting season.

**LD 1210**                      **An Act to Allow the Transfer of Antlerless Deer Permits**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P SAVAGE W	ONTP	

LD 1210 proposed to allow a holder of an antlerless deer permit to transfer the permit to another hunter prior to the start of hunting season.

**LD 1213**                      **An Act to Amend the Hunting Laws Relating to Blaze Orange**                      **PUBLIC 202**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODCOCK	OTP-AM	S-116

## Joint Standing Committee on Inland Fisheries and Wildlife

Current law requires a hunter to wear 2 articles of solid-colored blaze orange clothing. LD 1213 proposed to allow one of those articles of clothing to be predominantly blaze orange and the other article must be a solid-colored hunter orange hat.

**Committee Amendment "A" (S-116)** proposed to change one of 2 required articles of clothing that need to be blaze orange to be a minimum of 50% orange.

### *Enacted law summary*

Public Law 2001, chapter 202 requires that the article of clothing worn around a hunter's torso during the open firearm season must be a minimum of 50% hunter orange and that a solid-colored hunter orange hat must be worn.

**LD 1225**                      **An Act to Establish a Nonresident Taxpayer Fishing License**                      **ONTP**

<u>Sponsor(s)</u> TOBIN D		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1225 proposed to allow a nonresident who paid property taxes in this State to purchase a nonresident fishing license at the same fee as a resident.

**LD 1279**                      **An Act to Require Hikers to Wear Blaze Orange during Hunting Season**                      **ONTP**

<u>Sponsor(s)</u> SAVAGE C		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1279 proposed to require hikers to also wear hunter orange during hunting season.

**LD 1294**                      **An Act to Change the Snowmobile Registration Rates**                      **PUBLIC 254  
EMERGENCY**

<u>Sponsor(s)</u> CLARK		<u>Committee Report</u> OTP-AM    MAJ OTP-AM    MIN		<u>Amendments Adopted</u> H-346 H-435    DUNLAP
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LD 1294 proposed to increase resident and nonresident snowmobile registration rates by \$5 and dedicate that amount to a special fund administered by the Off-Road Vehicle Division of the Department of Conservation, Bureau of Parks and Lands to assist any entity that has a snowmobile trail-grooming contract with the bureau in the purchase of trail-grooming equipment. Exempt from this increase would be any snowmobile registered as an antique under the Maine Revised Statutes, Title 12, section 7824, subsection 2-B. LD 1294 also proposed to make the fees retroactive to July 1, 2001.

## **Joint Standing Committee on Inland Fisheries and Wildlife**

**Committee Amendment "A" (H-346)** proposed to add an allocation section and a fiscal note to the bill.

**Committee Amendment "B" (H-347)** is the minority report of the Joint Standing Committee on Inland Fisheries and Wildlife, and it proposed to require the Commissioner of Inland Fisheries and Wildlife to provide check-off boxes for donations on snowmobile registration forms. Revenue raised from donations must be appropriated in the same fashion as snowmobile registration fees. It also proposed to add a fiscal note to the bill.

**House Amendment "A" (H-435)** proposed to strike the retroactivity clause, add an emergency preamble and emergency clause and provide that the bill takes effect July 1, 2001.

## Joint Standing Committee on Inland Fisheries and Wildlife

### *Enacted law summary*

Public Law 2001, chapter 254 increases resident and nonresident snowmobile registration rates by \$5 and dedicates that amount to a special fund administered by the Off-Road Vehicle Division of the Department of Conservation, Bureau of Parks and Lands to assist any entity that has a snowmobile trail-grooming contract with the bureau in the purchase of trail-grooming equipment

Public Law 2001, chapter 254 was enacted as an emergency measure effective July 1, 2001.

**LD 1317**                      **Resolve, Directing the Department of Inland Fisheries and Wildlife to Conduct a Programmatic Review of the State's Inland Fisheries Management Program**                      **RESOLVE 33**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAUD MH DUNLAP	OTP-AM    MAJ ONTP        MIN	S-163

LD 1317 proposed to create a commission to examine the fisheries division of the Department of Inland Fisheries and Wildlife.

**Committee Amendment "A" (S-163)** proposed to require the Commissioner of Inland Fisheries and Wildlife to conduct a programmatic review of the fisheries program. The commissioner would be required to contract with an experienced firm to assess and evaluate the State's fisheries management program. It also proposed to add a fiscal note to the resolve.

### *Enacted law summary*

Resolve 2001, chapter 33 creates a commission to examine the fisheries program of the Department of Inland Fisheries and Wildlife.

**LD 1418**                      **An Act to Authorize the Commissioner of Inland Fisheries and Wildlife to Extend the Deer Hunting Season**                      **PUBLIC 296**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP KILKELLY	OTP-AM	H-436

LD 1418 proposed to allow the Commissioner of Inland Fisheries and Wildlife to extend by rule the firearm hunting season from the current time frame to September 30th to December 31st at the commissioner's discretion.

**Committee Amendment "A" (H-436)** proposed to repeal the Maine Revised Statutes, Title 12, section 7457, subsection 1, paragraph A and replace it with provisions that allow the Commissioner of Inland Fisheries and

## Joint Standing Committee on Inland Fisheries and Wildlife

Wildlife to set an open deer season between September 15th and December 15th annually. The amendment also proposed that the regular season must start no later than the 4th Monday preceding Thanksgiving in years when the regular season extends beyond November 30th.

### *Enacted law summary*

Public Law 2001, chapter 296 allows the Commissioner of Inland Fisheries and Wildlife to set an open deer season between September 15th and December 15th annually and provides that the regular season must start no later than the 4th Monday preceding Thanksgiving in years when the regular season extends beyond November 30th.

**LD 1419**                      **An Act to Provide for Public Access to Fish, Game and Wildlife Resources**                      **ONTP**

<u>Sponsor(s)</u> DUNLAP		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1419 proposed to authorize the Commissioner of Inland Fisheries and Wildlife to purchase land or interests in land or to grant conservation easements over land in order to establish public access corridors to lands or waters for the purposes of fishing, hunting or trapping. It proposed to require the commissioner to consult with the Land for Maine's Future Board and the Director of the Bureau of Parks and Lands within the Department of Conservation on any actions taken to establish such corridors.

The bill also proposed to require the Commissioner of Inland Fisheries and Wildlife to survey and describe the corridor and to file a plan of that corridor with the registry of deeds in the county or counties in which the corridor was located in the same way required by law when the commissioner acquires land to establish wildlife management areas under the Maine Revised Statutes, Title 12, section 7652, subsection 1.

**LD 1421**                      **An Act to Create an Antlerless Deer Hunting License**                      **ONTP**

<u>Sponsor(s)</u> MENDROS WOODCOCK		<u>Committee Report</u> ONTP      MAJ OTP-AM    MIN		<u>Amendments Adopted</u>
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LD 1421 proposed to create a separate hunting license for taking of antlerless deer.

**LD 1422**                      **An Act to Allow Hunters to Transfer an Antlerless Deer Permit**                      **ONTP**

<u>Sponsor(s)</u> MENDROS LEMONT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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## Joint Standing Committee on Inland Fisheries and Wildlife

LD 1422 proposed to allow an antlerless deer permit to transfer from the original holder to another licensed hunter if the other hunter shot an antlerless deer while hunting with the original holder.

**LD 1464**                      **An Act to Amend the Laws Governing the Suspension and Revocation of Hunting and Fishing Licenses**                      **PUBLIC 331**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MUSE K FERGUSON	OTP-AM	S-218 CARPENTER

LD 1464 proposed to repeal provisions of law governing suspension and revocation of hunting and fishing licenses and would have directed the Commissioner of Inland Fisheries and Wildlife to adopt rules governing the suspension, revocation and reinstatement of these licenses by the commissioner.

**Committee Amendment "A" (H-344)** proposed to remove the total repeal of the Maine Revised Statutes, Title 12, section 7077, subsection 1-A and would repeal only the provision in that section that requires a mandatory license revocation for hunting caribou. This amendment also proposed to remove the repeal of section 7077, subsection 1-B and amends that subsection to allow for twice the general bag limit for a species of fish and by removing the mandatory license revocation requirement for fishing by jigging. The amendment proposed to remove the requirement that a person whose license has been revoked must successfully complete a firearms training program or an ethics program before becoming eligible to obtain a new license. Additionally, the amendment proposed allows the Commissioner of Inland Fisheries and Wildlife to waive or reduce mandatory minimum suspension periods established in statute under certain circumstances. The amendment also proposed to remove the total repeal of section 7077-A and proposes to require the commissioner to revoke a license of a person who is convicted of any violation under Title 17-A and sets minimum revocation periods. Finally, the amendment also proposed to repeal the prohibition on hunting and possessing caribou.

**Senate Amendment "A" (S-218)** proposed to replace the bill and remove the total repeal of the Maine Revised Statutes, Title 12, section 7077, subsection 1-A and only repeal the provision in that section that requires a mandatory license revocation for hunting caribou. This amendment also proposed to remove the repeal of section 7077, subsection 1-B and amend that subsection to allow for twice the general bag limit for a species of fish and by removing the mandatory license revocation requirement for fishing by jigging. The amendment proposed to remove the requirement that a person whose license has been revoked must successfully complete a firearms training program or an ethics program before becoming eligible to obtain a new license. Additionally, the amendment proposed to allow the Commissioner of Inland Fisheries and Wildlife to waive or reduce mandatory minimum suspension periods established in statute under certain circumstances. Further, the amendment proposed to require the commissioner to revoke a license of a person who is convicted of any violation under Title 17-A and sets minimum revocation periods. Finally, the amendment proposed to repeal the prohibition on hunting and possessing caribou.

### *Enacted law summary*

Public Law 2001, chapter 331 repeals the prohibition on hunting and possessing caribou and repeals mandatory license revocation for hunting caribou. This Public Law removes the requirement that a person whose license has been revoked must successfully complete a firearms training program or an ethics program before becoming eligible to obtain a new license. Additionally, this Public Law allows the Commissioner of Inland Fisheries and Wildlife to

## Joint Standing Committee on Inland Fisheries and Wildlife

waive or reduce mandatory minimum suspension periods established in statute under certain circumstances and requires the commissioner to revoke a license of a person who is convicted of any violation under Title 17-A and sets minimum revocation periods. This Public Law also allows for twice the general bag limit for certain species of fish and removes the mandatory license revocation requirement for fishing by jigging.

**LD 1500**                      **An Act to Require Proof of Health Insurance for Operators of ATVs and Snowmobiles**                      **ONTP**

<u>Sponsor(s)</u> GOLDTHWAIT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1500 proposed to require operators of snowmobiles and ATVs to maintain health insurance. Those operators that failed to maintain health insurance would have committed a civil violation subject to forfeiture of not less than \$100 or more than \$500.

**LD 1519**                      **An Act to Allow Children Less than 16 Years of Age to Hunt, Fish and Trap without a License**                      **ONTP**

<u>Sponsor(s)</u> DAVIS P CARR	<u>Committee Report</u> ONTP    MAJ OTP-AM    MIN	<u>Amendments Adopted</u>
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LD 1519 proposed to eliminate all references to junior hunting licenses and allow children under 16 years of age to hunt without a license, in the presence of an adult.

**Committee Amendment "A" (S-143)** proposed to add a fiscal note to the bill.

**LD 1574**                      **An Act to Establish the Maine Boating Safety Advisory Council**                      **ONTP**

<u>Sponsor(s)</u> SAWYER COWGER	<u>Committee Report</u> ONTP    MAJ OTP    MIN	<u>Amendments Adopted</u>
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LD 1574 proposed to establish the Maine Boating Safety Advisory Council designed to advise and provide policy recommendations to the Commissioner of Inland Fisheries and Wildlife and the Joint Standing Committee on Inland Fisheries and Wildlife on boating safety and education matters. The commissioner would solicit a person from each of the following organizations to serve on the council: the United States Coast Guard; the Department of Inland Fisheries and Wildlife; the Department of Marine Resources; the State Planning Office; the United States Coast Guard Auxiliary; a boating safety and navigation education organization; a harbor master association; a statewide organization promoting marine fishing and boating; a state or regional association designed to protect lakes; a

## Joint Standing Committee on Inland Fisheries and Wildlife

statewide organization promoting hunting and freshwater fishing; a statewide organization promoting paddle sports; and a statewide organization representing professional guides or instructors or both. Additional members could be added to the council upon petition by the prospective member and approval by the council. Each member would select a representative to serve on the council every 2 years. A representative would be able to serve no more than 3 consecutive terms. Representatives would choose a chair each year and a representative would not be able to serve more than 2 consecutive years as chair. At all times the council would be required to have a simple majority of nonstate and nonfederal members. Representatives would receive no compensation except for the reimbursement of expenses incurred pursuant to their duties as council representatives unless otherwise compensated by their organizations.

**LD 1577**

**An Act to Encourage New Hunters**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY DUNLAP	ONTP	

LD 1577 proposed to allow a person who had never taken a deer and who held an original deer hunting license to take a deer of either sex during open season for deer in the first year that the person held a license, until the person tagged their first deer.

**LD 1579**

**An Act to Clarify the Unlawful Use of Snowmobile Trails**

**PUBLIC 289**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN	OTP-AM MAJ ONTP MIN	S-176

LD 1579 was a concept draft pursuant to Joint Rule 208. It proposed to reduce the unauthorized use of licensed snowmobile trails by all-terrain vehicles and other unauthorized users.

**Committee Amendment "A" (S-176)** is the majority report of the Joint Standing Committee on Inland Fisheries and Wildlife. It proposed to clarify that it is unlawful to operate a motor vehicle other than a snowmobile and appurtenant equipment at any time of the year on a snowmobile trail that is financed in whole or in part with funds from the Snowmobile Trail Fund. The amendment would have added a fiscal note to the bill.

### *Enacted law summary*

Public Law 2001, chapter 289 clarifies that it is unlawful to operate a motorized vehicle other than a snowmobile and appurtenant equipment at any time of the year on a snowmobile trail that is financed in whole or in part with funds from the Snowmobile Trail Fund.

## Joint Standing Committee on Inland Fisheries and Wildlife

**LD 1598**                      **An Act to Provide for Hunting 7 Days a Week on Lands North of the East-West Highway**                      **ONTP**

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

LD 1598 proposed to remove the restriction of hunting on Sunday and to allow it every day of the open season on lands North of the East-West Highway.

**LD 1604**                      **An Act Concerning Moose Hunting Permits for Elderly Hunters**                      **ONTP**

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

LD 1604 proposed to create a random drawing that awarded 100 complimentary moose hunting permits to moose permit applicants who were 70 years of age or older and who held a valid resident hunting license. This drawing would be held immediately after the regular annual public chance moose permit drawing. This bill also proposed to allow a person who was 70 years of age or older and owned 100 or more contiguous acres of land in the State to kill one moose every 5 calendar years on that land without possessing a moose permit if that person held a valid hunting license and took the moose during the open season on moose.

**LD 1692**                      **An Act to Revise Certain Provisions of Maine's Fish and Wildlife Laws**                      **PUBLIC 387 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER DUNLAP	OTP-AM	H-611 DUNLAP S-187 S-268 GAGNON

LD 1692 proposed to amend provisions of the State's fish and wildlife laws.

**Committee Amendment "A" (S-187)** proposed to enact language to allow the Commissioner of Inland Fisheries and Wildlife to sell general merchandise and accept donations of money, goods and services. The amendment proposed to allow individuals under 10 years of age to participate in hunting as long as they do not carry a firearm. The amendment also proposed to remove sections of the bill concerning commercial shooting areas, lifetime licenses, open deer seasons, point systems and effective dates. Additionally, the amendment proposed to repeal warranty requirements for registering snowmobiles and all-terrain vehicles. The amendment proposed to clarify when a person may shoot from a motorboat and add language to clarify a citation.

Finally, it also proposed to add a fiscal note to the bill.

## Joint Standing Committee on Inland Fisheries and Wildlife

**House Amendment "A" (H-611)** proposed to provide for staggered terms for members of the whitewater guides advisory board so that not all terms expire at the same time. The amendment also proposed to correct several provisions of law that were omitted from the legislation enacted in the last session of the Legislature to decriminalize certain fish and wildlife violations. Without this amendment, these inconsistencies would remain in law during the summer's boating and all-terrain vehicle season. The amendment also proposed to repeal the requirement that the Department of Inland Fisheries and Wildlife adopt by rule a schedule of fines for the improper operation of a fishway.

This amendment also proposed to remove the enforcement of the laws concerning sales of snowmobiles and all-terrain vehicles from the jurisdiction of the game wardens and places the provisions with the franchise laws.

This amendment also proposed to add a fiscal note to the bill.

**Senate Amendment "A" (S-268)** proposed to remove the requirement that the registration number for an ATV be displayed on the front of that vehicle. It proposed to retain the requirement that the registration number be displayed on the rear of the vehicle.

### *Enacted law summary*

Public Law 2001, chapter 387 makes changes to the State's fish and wildlife laws, including the following:

1. It clarifies the duties of the Division of Public Information and Education within the Department of Inland Fisheries and Wildlife;
2. It changes specifications required for bows used during special archery season on deer;
3. It changes certain provisions related to moose hunting;
4. It allows the introduction of otherwise illegal fish or fish spawn into a private pond for fishing events held in conjunction with educational or special programs sanctioned by the Department of Inland Fisheries and Wildlife;
5. It requires that watercraft accidents involving damage only to watercraft or other property to the estimated amount of \$1,000 or more must be reported;
6. It clarifies certain provisions related to the operation and rental or lease of personal watercraft;
7. It clarifies certain provisions related to the registration and operation of a snowmobiles and all-terrain vehicles;
8. It enacts language to allow the Commissioner of Inland Fisheries and Wildlife to sell general merchandise and accept donations of money, goods and services;
9. It allows individuals under 10 years of age to participate in hunting as long as they do not carry a firearm;
10. It clarifies when a person may shoot from a motorboat and adds language to clarify a citation;
11. It provides for staggered terms for members of the whitewater guides advisory board so that not all terms expire at the same time;
12. It corrects several provisions of law to decriminalize certain fish and wildlife violations;
13. It repeals the requirement that the Department of Inland Fisheries and Wildlife adopt by rule a schedule of fines for the improper operation of a fishway; and
14. It removes the enforcement of the laws concerning sales of snowmobiles and all-terrain vehicles from the jurisdiction of the game wardens and places the provisions with the franchise laws.

Public Law 2001, chapter 387 was enacted as an emergency measure effective June 12, 2001.

## Joint Standing Committee on Inland Fisheries and Wildlife

LD 1726

### An Act to Clarify Laws Pertaining to the Permit Process for Wildlife Possession

PUBLIC 269

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP CARPENTER	OTP-AM	H-385

LD 1726 proposed to amend the section of the Maine Revised Statutes, Title 12 that deals with possessing, breeding, exhibiting, purchasing, selling, importing and transporting wildlife. Currently, all of the possession authorities are within separate sections of the law. This bill proposed to repeal 14 sections of Title 12 and place them into one section with the issuance, fees, rule-making authority and permit administration being addressed. The bill also proposed to authorize the Department of Inland Fisheries and Wildlife to adopt rules for each specific permit.

**Committee Amendment "A" (H-385)** proposed to change the fee structure for permits to possess wildlife and corrects cross-references. This amendment also proposed to clarify which species are affected by the bill. It also proposed to add a fiscal note to the bill.

#### *Enacted law summary*

Public Law 2001, chapter 269 amends the section of the Maine Revised Statutes, Title 12 that deals with possessing, breeding, exhibiting, purchasing, selling, importing and transporting wildlife. This Public Law repeals 14 sections of Title 12 and places them into one section with the issuance, fees, rule-making authority and permit administration being addressed. This Public Law also authorizes the Department of Inland Fisheries and Wildlife to adopt rules for each specific permit.

LD 1732

### An Act to Establish for an Additional Two Years the Commission to Study the Needs and Opportunities Associated with the Production of Salmonid Sport Fish in Maine

PUBLIC 462  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-180 S-386 GOLDTHWAIT

Part A of LD 1732 proposed to create a fish hatchery maintenance fund within the Department of Inland Fisheries and Wildlife to be used by the Commissioner of Inland Fisheries and Wildlife to fund or assist in funding maintenance, repair or capital improvements at fish hatcheries and feeding stations owned by the State. The fund could not be used to fund personnel services costs or general operating costs of a fish hatchery. The fund would be initially capitalized by a \$100,000 transfer from the department's carrying account. The commissioner would be directed to report back to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2002 with recommendations on mechanisms to raise revenue for the fund.

Part A also proposed to reallocate \$182,000 from the Department of Inland Fisheries and Wildlife to the fish hatchery study commission to allow the commission to hire consulting engineers to assist in the design and

## Joint Standing Committee on Inland Fisheries and Wildlife

assessment of statewide fish hatchery production and distribution needs and for the per diem expenses of 4 annual meetings of the commission. Those funds are part of a \$500,000 appropriation originally made to the department in 2000 for similar purposes.

Part B of this bill proposed to authorize for an additional 2 years a study commission originally established by the 119th Legislature by Resolve 1999, chapter 82. The purpose of this commission would be to study the needs and opportunities associated with the production of salmonid sport fish in this State.

Part B proposed to appoint all the members of the commission originally appointed in 1999, except that it would require the President of the Senate to appoint 2 additional members of the Senate and require the Governor to fill 2 vacancies among public members appointed by the Governor in 1999.

Part B also proposed to carry forward into fiscal year 2001-02 all unexpended balances appropriated to the Department of Inland Fisheries and Wildlife for fiscal year 2000-01 for fish hatchery engineering work.

**Committee Amendment "A" (S-180)** proposed to transfer unexpended funds appropriated by the 119th Legislature for engineering analyses of fish hatcheries to a newly created fish hatchery maintenance fund in the Department of Inland Fisheries and Wildlife. The amendment also proposed to allocate from that fund funds necessary for the per diem and expenses of study commission members. The amendment also proposed to remove the provision that transfers \$100,000 from the carrying balance to the fish hatchery maintenance fund. The amendment also proposed to add an allocation section and a fiscal note to the bill.

**House Amendment "A" to Committee Amendment "A" (H-573)** proposed to authorize the Speaker of the House to appoint a member of the House to the Commission to Study the Needs and Opportunities Associated with the Production of Salmonid Sport Fish in Maine. The amendment also proposed to provide that the Speaker of the House should give a preference to a House member who sits on the Joint Standing Committee of Inland Fisheries and Wildlife. This amendment also proposed to strike and replace the allocation.

**Senate Amendment "A" to Committee Amendment "A" (S-386)** proposed to incorporate House Amendment "A" to Committee Amendment "A" and further provide that the member of the House of Representatives appointed by the Speaker of the House serve as cochair and specify that the initial meeting of the commission be held by August 15, 2001. It also proposed to limit payment of a per diem for attendance at commission meetings to Legislators.

### *Enacted law summary*

Public Law 2001, chapter 462, Part A, creates a fish hatchery maintenance fund within the Department of Inland Fisheries and Wildlife to be used by the Commissioner of Inland Fisheries and Wildlife to fund or assist in funding maintenance, repair or capital improvements at fish hatcheries and feeding stations owned by the State. This Public Law also transfers unexpended funds appropriated by the 119th Legislature for engineering analyses of fish hatcheries to the fish hatchery maintenance fund and further provides that expenses for four meetings in 2001-02 and four meetings in 2002-03 of the commission including the per diem expenses for legislators attending commission meetings, be paid from this fund.

Part B of this Public Law authorizes for an additional 2 years a study commission originally established by the 119th Legislature by Resolve 1999, chapter 82. The purpose of this commission is to study the needs and opportunities associated with the production of salmonid sport fish in this State. Part B also appoints all the members of the commission originally appointed in 1999, except that it requires the President of the Senate to

## Joint Standing Committee on Inland Fisheries and Wildlife

appoint 2 additional members of the Senate, the Speaker of the House to appoint one member and requires the Governor to fill 2 vacancies among public members appointed by the Governor in 1999.

Public Law 2001, chapter 462 was enacted as an emergency measure effective June 28, 2001.

**LD 1776**                      **Resolve, Regarding Legislative Review of Chapter 21: Licensing and Registration Agents, a Major Substantive Rule of the Department of Inland Fisheries and Wildlife**                      **RESOLVE 40  
EMERGENCY**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1776 proposed to provide for legislative review of Portions of Chapter 21: Licensing and Registration Agents, a major substantive rule of the Department of Inland Fisheries and Wildlife.

### *Enacted law summary*

Resolve 2001, chapter 40 approves Chapter 21: Licensing and Registration Agents, a major substantive rule of the Department of Inland Fisheries and Wildlife.

Resolve 2001, chapter 40 was enacted as an emergency measure effective May 29, 2001.

**LD 1785**                      **An Act Concerning Disabled Hunters, Trappers and Anglers**                      **PUBLIC 223**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1785 proposed to allow the Commissioner of Inland Fisheries and Wildlife to authorize special exceptions for individuals with a permanent physical disability that allow those persons to lawfully hunt, trap or fish at times or in a manner that would otherwise be prohibited by laws or rules administered by the Department of Inland Fisheries and Wildlife. The bill proposed to require the commissioner to authorize only the minimum special exceptions necessary to overcome the applicant's disability and to prohibit the commissioner from granting exceptions to allow persons to exceed bag or size limits; to fish for or take a fish or wildlife species for which a license is not otherwise issued; to fish, trap or hunt more than 7 days before or after the regular open season for a particular species or to fish, trap or hunt in any area permanently closed to those activities.

The bill proposed to provide criteria that the commissioner and applicants must follow in granting any special exceptions pursuant to this bill.

### *Enacted law summary*

## Joint Standing Committee on Inland Fisheries and Wildlife

Public Law 2001, chapter 223, which was a committee bill, allows the Commissioner of Inland Fisheries and Wildlife to authorize special exceptions for individuals with a permanent physical disability that allow those persons to lawfully hunt, trap or fish at times or in a manner that would otherwise be prohibited by law.

**LD 1787**                      **An Act to Implement Municipal Recommendations Regarding**                      **PUBLIC 241**  
**Surface Water Use on Great Ponds**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP            MAJ	
	ONTP        MIN	

LD 1787 proposed to prohibit the use of personal watercraft on Meetinghouse Pond, Big Pond, Wat Tuh Lake, Center Pond and Silver Lake, also known as Silver Pond, in the Town of Phippsburg, Sagadahoc County; South Branch Lake in the Plantation of Seboeis and the Township T2 R8 NWP, Penobscot County; Spring Lake, in Spring Lake Township, Somerset County; Kennebago Lake and Kennebago River in Davis Township and Stetsontown Township, Franklin County; and Nicatous Lake, in the Townships of T40 MD, T41 MD and T3 ND in Hancock County.

### *Enacted law summary*

Public Law 2001, chapter 241, which was reported out of committee pursuant to joint order, prohibits the use of personal watercraft on Meetinghouse Pond, Big Pond, Wat Tuh Lake, Center Pond and Silver Lake, also known as Silver Pond, in the Town of Phippsburg, Sagadahoc County; South Branch Lake in the Plantation of Seboeis and the Township T2 R8 NWP, Penobscot County; Spring Lake, in Spring Lake Township, Somerset County; Kennebago Lake and Kennebago River in Davis Township and Stetsontown Township, Franklin County; and Nicatous Lake, in the Townships of T40 MD, T41 MD and T3 ND in Hancock County.

Chapter 241 was later repealed by section D-28 of Public Law 2001, chapter ..., the Judiciary Committee's "Errors and Omissions" bill, and re-enacted in that bill as an emergency measure so that these provisions would take effect prior to the 2001 boating season.

**LD 1796**                      **An Act to Facilitate the Implementation of Maine's On-line**                      **PUBLIC 294**  
**Sportsman's Electronic System**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
		H-406    DUNLAP

LD 1796 proposed to make changes to the laws regarding agents, agent fees and watercraft, snowmobile and ATV registrations in order to facilitate the transition to Maine's On-line Sportsman's Electronic System, MOSES. The bill proposed to authorize the Commissioner of Inland Fisheries and Wildlife to appoint agents to issue trapping licenses and charge a \$2 fee for each license. The bill also proposed to allow the commissioner to charge a \$1 fee for each trapping license and watercraft registration issued by a department employee. The bill proposed to

## Joint Standing Committee on Inland Fisheries and Wildlife

remove the requirement that hunters apply by written application for a turkey permit and provide that hunters must apply for a turkey permit in a manner to be prescribed by the commissioner.

The bill proposed to provide that the commissioner may appoint agents other than municipal clerks or persons designated by a municipality to issue watercraft, snowmobile and ATV registrations and remove current statutory requirements that the commissioner must follow to appoint agents not associated with a municipality. The bill also proposed to remove the requirement that agents issuing snowmobile, watercraft and ATV registrations must submit reports to the commissioner and provides that agents may charge \$1 for each watercraft, snowmobile or ATV registration renewal and \$2 for original registrations. Additionally, the bill proposed to require that the commissioner penalize agents who issue watercraft, snowmobile or ATV registrations that are delinquent in forwarding the commissioner's funds to the commissioner by a date set forth by rule.

The bill proposed to provide that anyone who obtains an original snowmobile or ATV registration after March 31st may pay \$30 or \$15, respectively, to receive a registration that covers the remainder of the year plus an additional year. The same opportunity would be provided for anyone obtaining an original watercraft registration after September 30th, in which case the person pays 125% of the registration fee.

**House Amendment "A" (H-406)** proposed to add a fiscal note to the bill.

### *Enacted law summary*

Public Law 2001, chapter 294 makes changes to the laws regarding agents, agent fees and watercraft, snowmobile and ATV registrations in order to facilitate the transition to Maine's On-line Sportsman's Electronic System, MOSES. This public law authorizes the Commissioner of Inland Fisheries and Wildlife to appoint agents to issue trapping licenses and sets fees that can be charged by agents and department employees for issuing trapping licenses.

Public Law 2001, chapter 294 provides that the commissioner may appoint agents other than municipal clerks or persons designated by a municipality to issue watercraft, snowmobile and ATV registrations and sets fees that agents can charge for issuing these registrations. This public law requires the commissioner penalize agents who issue watercraft, snowmobile or ATV registrations that are delinquent in forwarding the commissioner's funds to the commissioner by a date set forth by rule.

Public Law 2001, chapter 294 provides that anyone who obtains an original snowmobile or ATV registration after March 31st may pay \$30 or \$15, respectively, to receive a registration that covers the remainder of the year plus an additional year. The same opportunity is provided for anyone obtaining an original watercraft registration after September 30th, in which case the person pays 125% of the registration fee.

**HP 613**

**JOINT ORDER – To Recodify the Maine Revised Statutes  
Title 12, Chapters 701 to 721**

**PASSED**

Sponsor(s)  
DUNLAP

Committee Report  
OTP

Amendments Adopted

HP 613 requires the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes to jointly prepare a bill for submission to the Joint Standing Committee on Inland Fisheries and Wildlife to the Second Regular

## **Joint Standing Committee on Inland Fisheries and Wildlife**

Session of the 120<sup>th</sup> Legislature that recodifies the Maine Revised Statutes Title 12, Chapters 701 to 721 to eliminate archaic terms and confusing language, update cross-references and make non-substantive technical changes to improve the readability and accessibility of Title 12, Chapters 701 to 721. HP 0613 directs the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes to work with the Department of Inland Fisheries and Wildlife and the District Attorney's offices in preparing the proposed recodification and to submit the proposed recodification to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2002.



## LD INDEX

LD 4.....	473	LD 702.....	492
LD 8.....	473	LD 734.....	492
LD 28.....	473	LD 735.....	493
LD 52.....	474	LD 736.....	493
LD 54.....	475	LD 742.....	493
LD 55.....	475	LD 760.....	494
LD 69.....	475	LD 761.....	494
LD 72.....	476	LD 775.....	494
LD 75.....	476	LD 799.....	495
LD 76.....	477	LD 825.....	495
LD 77.....	477	LD 875.....	495
LD 104.....	477	LD 940.....	496
LD 105.....	478	LD 992.....	496
LD 107.....	478	LD 1067.....	496
LD 110.....	478	LD 1078.....	497
LD 127.....	479	LD 1173.....	497
LD 141.....	479	LD 1186.....	497
LD 151.....	479	LD 1193.....	498
LD 166.....	480	LD 1207.....	499
LD 190.....	481	LD 1210.....	499
LD 200.....	481	LD 1213.....	499
LD 227.....	481	LD 1225.....	500
LD 229.....	482	LD 1279.....	500
LD 232.....	482	LD 1294.....	500
LD 234.....	483	LD 1317.....	501
LD 287.....	483	LD 1418.....	501
LD 315.....	483	LD 1419.....	502
LD 335.....	483	LD 1421.....	502
LD 347.....	484	LD 1422.....	502
LD 348.....	485	LD 1464.....	503
LD 365.....	485	LD 1500.....	504
LD 409.....	486	LD 1519.....	504
LD 427.....	486	LD 1574.....	504
LD 440.....	486	LD 1577.....	505
LD 450.....	487	LD 1579.....	505
LD 514.....	487	LD 1598.....	506
LD 541.....	487	LD 1604.....	506
LD 542.....	488	LD 1692.....	506
LD 586.....	488	LD 1726.....	508
LD 587.....	488	LD 1732.....	508
LD 596.....	490	LD 1776.....	510
LD 625.....	490	LD 1785.....	510
LD 648.....	490	LD 1787.....	511
LD 655.....	491	LD 1796.....	511
LD 673.....	491	HP 613.....	512
LD 675.....	491		