

Joint Standing Committee on Inland Fisheries and Wildlife

LD 4 **An Act to Protect the Waters of the Saco River** **ONTP**

<u>Sponsor(s)</u> O'NEIL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 4 proposed to prohibit the use of personal watercraft on the Saco River below the Skelton Dam.

LD 25 **An Act Imposing a Horsepower Restriction for Boat Motors on Pickerel Pond** **PUBLIC 258**

<u>Sponsor(s)</u> DUNLAP		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 25 proposed to prohibit the operation of a motorboat equipped with a motor greater than 10 horsepower on Pickerel Pond in the territory of T32 MD in Hancock County.

Enacted Law Summary

Public Law 2003, chapter 258 prohibits the operation of a motorboat equipped with a motor greater than 10 horsepower on Pickerel Pond in the territory of T32 MD in Hancock County.

LD 26 **An Act to Create the Maine Youth Conservation Wildlife Management Area** **PUBLIC 21**

<u>Sponsor(s)</u> DUNLAP		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 26 proposed to create the Maine Youth Conservation Wildlife Management Area on lands in T32 MD owned or leased by the Department of Inland Fisheries and Wildlife.

Enacted Law Summary

Public Law 2003, chapter 21 creates the Maine Youth Conservation Wildlife Management Area on lands in T32 MD owned or leased by the Department of Inland Fisheries and Wildlife.

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LD 49

Resolve, Requiring the Department of Inland Fisheries and Wildlife To Implement the Recommendations of the Maine Inland Fisheries Management Program 2002 Review

RESOLVE 42

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL BRYANT	OTP-AM	H-304

LD 49 is a concept draft pursuant to Joint Rule 208.

Resolve 2001, chapter 33 proposed to directed the Commissioner of Inland Fisheries and Wildlife to conduct a programmatic review of the State's inland fisheries management program and report findings and recommendations to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters by January 2, 2003. This bill proposes to implement the recommendations contained in that report.

Committee Amendment "A" (H-304) proposed to strike and replace the original bill with a resolve that would require the Commissioner of Inland Fisheries and Wildlife to report to the Joint Standing Committee on Inland Fisheries and Wildlife no later than 7 days after the effective date of this resolve, the commissioner's plans to implement the recommendations of the Maine Inland Fisheries Management Program 2002 Review. The amendment would also require the Department of Inland Fisheries and Wildlife to provide semiannual reports updating the department's progress toward implementing those recommendations until November 1, 2008.

Enacted Law Summary

Resolve 2003, chapter 42 requires the Commissioner of Inland Fisheries and Wildlife to report to the Joint Standing Committee on Inland Fisheries and Wildlife no later than 7 days after the effective date of this resolve the commissioner's plans to implement the recommendations of the Maine Inland Fisheries Management Program 2002 Review and to provide semiannual reports updating the Department of Inland Fisheries and Wildlife's progress toward implementing those recommendations until November 1, 2008.

LD 52

An Act to Strengthen the Governor's Council on Landowner Relations

ONTP

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

LD 52, a concept draft pursuant to Joint Rule 208, proposed to strengthen the authority and expand the role of the Governor's Council on Landowner Relations.

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LD 77

An Act to Require Permission for an ATV to Cross Private Land

ONTP

<u>Sponsor(s)</u> KNEELAND		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 77 proposed to prohibit the operation of an ATV on private land without the written permission of the landowner or landowner's agent unless the landowner specifically permitted ATVs without written permission. Current law includes a variety of provisions regarding the operation of an ATV on the land of another. The bill proposed to repeal or modify these provisions to make the law consistent with the written-permission requirement. The bill also proposed to move appropriate penalties into appropriate sections and proposed to repeal the penalties that applied to the provisions of law that were repealed by the bill.

1. Current law prohibits operation of any motor vehicle, including an ATV, on snowmobile trails financed with funds from the Snowmobile Trail Fund unless operation has been authorized by the landowner or the landowner's agent or unless the use is necessitated by an emergency involving safety of persons or property. The bill proposed to amend the language to cross reference the written-permission requirement for ATVs and proposed to move the amended provision to a more appropriate section of the law.
2. Current law prohibits a person from operating an ATV on a private road after having been forbidden to do so by the owner thereof, the owner's agent or a municipal official, either personally or by appropriate notices posted conspicuously on that road. The bill proposed to add to this section a cross-reference to the written-permission requirement to clarify that a person who had not been forbidden to operate an ATV on the road still would have to obtain permission to operate on that road.
3. Current law prohibits operation of an ATV on any cropland or pastureland without the permission of the owner or lessee. The bill proposed to repeal this provision as it was superseded by the broader written-permission requirement.

LD 82

An Act Regarding Fish Stocking Decisions

PUBLIC 27

<u>Sponsor(s)</u> HONEY BRYANT		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-15
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LD 82 proposed to allow anglers to have more input when the Department of Inland Fisheries and Wildlife is making management and stocking changes on a body of water.

Committee Amendment "A" (H-15) proposed to replaces the bill. It proposed to repeal the requirement that the Department of Inland Fisheries and Wildlife conduct public meetings whenever the department changes management or fish stocking objectives on a body of water.

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Enacted Law Summary

Public Law 2003, chapter 27 repeals the requirement that the Department of Inland Fisheries and Wildlife conduct public meetings whenever the department changes management or fish stocking objectives on a body of water.

LD 98 **An Act to Prohibit Personal Watercraft on Rocky Pond in Orland** **ONTP**

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

LD 98 proposed to prohibit the use of personal watercraft on Rocky Pond in Orland.

Committee Amendment "A" (H-340), the minority report of the Committee on Inland Fisheries and Wildlife, proposed to replace the bill and prohibit the operation of a motorboat having more than 10 horsepower on Rocky Pond in the Town of Orland. (Not adopted)

LD 106 **An Act Regarding Alewife Harvesting** **PUBLIC 276**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TARDY MITCHELL	OTP-AM	H-302

LD 106 proposed to authorize the Department of Inland Fisheries and Wildlife and the Department of Marine Resources to issue permits for the harvesting of alewives with fish pumps.

Committee Amendment "A" (H-302) proposed to remove language from the bill regarding the Department of Marine Resources and to authorize the Department of Inland Fisheries and Wildlife to regulate the type of gear used to harvest alewives, suckers, yellow perch, eels and lampreys. It also proposed to authorize the use of fish pumps to harvest alewives.

Enacted Law Summary

Public Law 2003, chapter 276 authorizes the Department of Inland Fisheries and Wildlife to regulate the type of gear used to harvest or concentrate for harvest alewives, eels, suckers, lampreys and yellow perch and authorizes the use of fish pumps to harvest alewives.

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LD 114

An Act to Enhance Trail Revenue

ONTP

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

LD 114 proposed to do the following:

1. Increase the registration fees for snowmobiles and for ATVs, including off-road motorcycles, by \$35;
2. Allow persons who were members of snowmobile clubs to receive \$25 rebates on the payment of these increased fees; and
3. Apply the revenues from these additional fees to the Snowmobile Trail Fund.

(See LD 359.)

LD 123

An Act to Allow Hunters to Exchange Assigned Hunting Areas or Zones with Other Hunters

PUBLIC 480

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT MCGLOCKLIN	OTP-AM	S-143

LD 123 proposed to allow a hunter assigned a hunting zone or area to exchange that zone or area with another hunter.

Committee Amendment "A" (S-143) proposed to authorize the Commissioner of Inland Fisheries and Wildlife to assess a \$5 transaction fee for the transfer of licenses, permits or zone or area designations. For purposes of clarity, the amendment proposed to move a provision of law to a new subsection created in the amendment.

Enacted Law Summary

Public Law 2003, chapter 480 allows a hunter assigned a hunting zone or area to exchange that zone or area with another hunter. It also authorizes the Commissioner of Inland Fisheries and Wildlife to assess a \$5 transaction fee for the transfer of licenses, permits or zone or area designations.

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LD 127 **An Act Regarding the Publication of Trapping Rules** **ONTP**

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

LD 127 proposed to require the Department of Inland Fisheries and Wildlife to publish trapping rules separately from hunting rules and that the department published rules on paper that was uniform in size and weight.

LD 128 **An Act to Provide Funding for a Full-time Warden to Monitor Brandy Pond in the Town of Naples and to Allow the Town to Enact a Noise Level Ordinance** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT R CRESSEY	ONTP	

LD 128 proposed to do the following:

1. Provide funding for one Game Warden position to monitor Brandy Pond in the Town of Naples; and
2. Authorize the Town of Naples to adopt a watercraft noise level ordinance for Brandy Pond.

LD 129 **Resolve, Directing the Department of Inland Fisheries and Wildlife To Conduct a Programmatic Review within Certain Areas of the Department** **RESOLVE 71
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT DUNLAP	OTP-AM	S-125

LD 129 proposed to require the Commissioner of Inland Fisheries and Wildlife to conduct a programmatic review of the Bureau of Administrative Services. It proposed to require the commissioner to contract with an experienced firm to assess and evaluate the department's Bureau of Administrative Services.

Committee Amendment "A" (S-125) proposed to replace the resolve. It proposed to require the Commissioner of Inland Fisheries and Wildlife to conduct a programmatic review of the Division of Public Information and Education, Bureau of Warden Service, Bureau of Administrative Services and the State's wildlife management program. It also proposed to require the commissioner to contract with an experienced firm to assess and evaluate these areas of the Department of Inland Fisheries and Wildlife. Additionally, it proposed to require the department to fund the review with funding outside the General Fund and would require a report to the Joint Standing Committee on Inland Fisheries and Wildlife by January 4, 2005. Finally, it proposed to add an emergency preamble and emergency clause.

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Enacted Law Summary

Resolve 2003, chapter 71 requires the Commissioner of Inland Fisheries and Wildlife to contract with an experienced firm to conduct a programmatic review of the Division of Public Information and Education, Bureau of Warden Service, Bureau of Administrative Services and the State's wildlife management program. The department must fund the review with funding outside the General Fund. The department shall submit a single report to the Joint Standing Committee on Inland Fisheries and Wildlife by January 4, 2005, regarding work conducted and the findings and recommendations determined pursuant to this resolve.

Resolve 2003, chapter 71 was passed as an emergency measure effective June 9, 2003.

LD 130 **Resolve, Directing the Department of Inland Fisheries and Wildlife to Conduct a Programmatic Review of the Bureau of Warden Service** **ONTP**

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

LD 130 proposed to require the Commissioner of Inland Fisheries and Wildlife to conduct a programmatic review of the Bureau of Warden Service. The commissioner would contract with an experienced firm to assess and evaluate the department's warden service.

LD 131 **Resolve, Directing the Department of Inland Fisheries and Wildlife to Conduct a Programmatic Review of the State's Wildlife Management Program** **ONTP**

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

LD 131 proposed to require the Commissioner of Inland Fisheries and Wildlife to conduct a programmatic review of the department's wildlife management program. The commissioner would contract with an experienced firm to assess and evaluate the wildlife management program.

LD 136 **An Act to Limit the Articles of Hunter Orange Clothing Required to a Hunter Orange Hat** **ONTP**

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

LD 136 proposed to change the requirement for wearing 2 articles of hunter orange clothing, one of which must be a hat, to only needing to wear a hunter orange hat.

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LD 137 **An Act to Make Hunting Hours Consistent** **ONTP**

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

LD 137 proposed to define twilight hunting as occurring between sunset and 15 minutes afterward and night hunting as occurring 15 minutes after sunset to 30 minutes before sunrise. The bill proposed to clarify that twilight hunting was a Class E crime.

LD 157 **An Act to Allow Electronic Calling Devices for Hunting** **DIED BETWEEN BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT PATRICK	OTP	

LD 157 proposed to allow the use of electronic calling devices to hunt any game animal except migratory game birds. In removing a provision of law that this bill would have made obsolete, the bill also proposed to correct a conflict created by 2 public laws that amended the same section of statute in 2001, by incorporating the changes made by both public laws.

LD 158 **An Act to Limit Agent Fees to the Number of Transactions** **CARRIED OVER**

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

LD 158 proposes to limit the transaction fee that can be charged for the issuance of certain licenses or permits to \$2 per transaction, regardless of the number of licenses or permits being issued during that transaction.

LD 173 **An Act To Provide for the Passage of Anadromous Fish Species into the Little River** **CARRIED OVER**

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

LD 173 proposes to require the Department of Inland Fisheries and Wildlife to construct a fishway on Little River Dam located near the Town of Scarborough and to manage that dam in a manner that does not contribute to flooding in the Town of Old Orchard Beach.

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LD 180 **An Act To Encourage Youth Hunters** **ONTP**

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

LD 180 proposed to repeal the fees charged for junior hunting licenses.

LD 185 **An Act to Allow Residents 70 Years of Age or Older to Hunt Any Deer** **ONTP**

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

LD 185 proposed to allow residents 70 years of age or older to hunt any deer.

LD 196 **An Act Requiring Reflective Registration Numbers on Snowmobiles** **ONTP**

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

LD 196 proposed to require that snowmobile registration numbers be reflective for newly registered snowmobiles and when any registration numbers on a previously registered snowmobile are replaced.

LD 217 **An Act Concerning Public Access to Fish, Game and Wildlife Resources** **ONTP**

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

LD 217 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 purpose of fishing, hunting or trapping. The bill 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 acquired land to establish wildlife management areas under the Maine Revised Statutes, Title 12, section 7652, subsection 1.

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LD 236 **An Act To Clarify the Animal Nuisance Statutes** **ONTP**

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

LD 236 proposed to require a game warden to seek the agreement of a biologist before the warden gave permission to a landowner to employ an agent to take or kill nuisance animals on the landowner's land or to issue a certificate allowing a landowner to own and consume a nuisance animal taken or killed on the landowner's land.

LD 237 **An Act To Improve the Coyote Control Program** **PUBLIC 73**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE	OTP-AM MAJ	H-75
HALL	OTP-AM MIN	

LD 237 proposed to repeal the statutory authorization for the coyote snaring program and deappropriate funding associated with the direct costs of the program. It proposed to leave in tact the law that allows the hunting of coyotes with firearms and dogs or trapping coyotes without the use of snares.

Committee Amendment "A" (H-75) the majority report of the Joint Standing Committee on Inland Fisheries and Wildlife and proposed to replace the original bill. The amendment proposed to set conditions and requirements for agents of the Department of Inland Fisheries and Wildlife who use snares for the control of coyotes during the winter months.

Enacted Law Summary

Public Law 2003, chapter 73 sets conditions and requirements for agents of the Department of Inland Fisheries and Wildlife who use snares for the control of coyotes during winter months.

LD 253 **An Act Regarding the Use of Hunter Orange Clothing, Assisted Hunting, Baiting and the Possession of Gift Animals** **ONTP**

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

LD 253 proposed to require moose hunters to wear 2 articles of hunter orange clothing and exempt hunters from the hunter orange clothing requirement when hunting from a tree stand. The bill also proposed to allow a person to keep a gift bear, deer, moose or fish if it was labeled with just the name of the person who harvested the

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animal and the date when the animal was harvested. Additionally, the bill proposed to remove the prohibition on baiting deer and allowed a person to keep more than one legally harvested game animal in that person's home. Finally, the bill proposed to allow a person to assist in a hunt without a license or permit if that person did not carry a weapon during that hunt.

LD 270 **An Act To Give Priority in the Antlerless Deer Permit System to a Person Who Owns 100 Acres or More of Land and Permits Hunting on the Land** **ONTP**

<u>Sponsor(s)</u> WOODCOCK		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 270 proposed to give priority in the antlerless deer permit system to landowners who owned at least 100 acres and kept that land open to hunting by the general public.

LD 303 **An Act To Increase Protection for Endangered and Threatened Species** **PUBLIC 113**

<u>Sponsor(s)</u> MCKEE GAGNON		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-105
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LD 303 proposed to make a violation of the laws protecting endangered and threatened species a Class D crime. It proposed to amend the law regarding endangered and threatened species to facilitate enforcement of those laws. It also proposed to require landowners to include on the map provided to the Department of Conservation prior to commencing harvesting activities, the location of any site in the harvesting area known to the landowner or the Department of Inland Fisheries and Wildlife to serve or historically serve as habitat for a species listed in the Maine Revised Statutes as endangered or threatened.

Committee Amendment "A" (H-105) proposed to replace the bill and make an intentional violation of the Maine Revised Statutes, Title 12, section 7756, subsection 1-A a Class D crime and a negligent violation of Title 12, section 7756, subsection 1 a Class E crime. These sections concern prohibited acts regarding endangered or threatened species.

Enacted Law Summary

Public Law 2003, chapter 113 makes a negligent violation of the laws protecting endangered and threatened species a Class E crime and the intentional violation of those laws a Class D crime.

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LD 304 **An Act to Raise the Minimum Age for Operation of an ATV from 10 Years of Age to 16 Years of Age** **ONTP**

<u>Sponsor(s)</u> MCKEE BRENNAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 304 proposed to raise the minimum age for operating an ATV from 10 years to 16 years of age. It also proposed to change other sections of law affected by the age restriction.

LD 346 **Resolve, Authorizing the Commissioner of Inland Fisheries and Wildlife To Allow a Well and Waterline Easement** **RESOLVE 44
EMERGENCY**

<u>Sponsor(s)</u> WOODCOCK		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-124
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LD 346 proposed to authorize the Commissioner of Inland Fisheries and Wildlife to enter into an amendment of the conservation easement in the Rangeley River conservation corridor. The purpose of the amendment was to allow the Oquossoc Standard Water District to develop a potable water supply for the Village of Oquossoc in the Town of Rangeley.

Committee Amendment "A" (S-124) proposed to authorize the Commissioner of Inland Fisheries and Wildlife to enter into an amendment of the conservation easement in the Rangeley River conservation corridor. This committee amendment proposed would permit the commissioner to enter into an amendment of the conservation easement to allow the Oquossoc Standard Water District to drill wells near the existing waterline and connect the wells to it, if the commissioner finds that the conservation values of the conservation corridor will not be adversely affected.

Enacted Law Summary

Resolve 2003, chapter 44 authorizes the Commissioner of the Department of Inland Fisheries and Wildlife to enter into an amendment of the conservation easement in the Rangeley River conservation corridor. The commissioner may enter into an amendment of the conservation easement to allow the Oquossoc Standard Water District to drill wells near the existing waterline and connect the wells to it, if the commissioner finds that the conservation values of the conservation corridor will not be adversely affected.

Resolve 2003, chapter 44 was passed as an emergency measure effective May 23, 2003.

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LD 354

An Act Relating to the Operation of Snowmobiles

PUBLIC 122

<u>Sponsor(s)</u> CARPENTER DUNLAP	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-50
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LD 354 proposed the following:

1. Beginning on July 1, 2004, require owners of ATVs or snowmobiles to have liability insurance coverage for damages or injuries caused by operation of the ATV or snowmobile and require proof of such coverage prior to registration of an ATV or snowmobile after that date;
2. Prohibit persons under 16 years of age from operating an ATV or snowmobile;
3. Require persons 16 years of age or older to obtain an operator's license to operate an ATV or snowmobile from the Department of Inland Fisheries and Wildlife;
4. Exempt persons already 16 years of age or older on the date the law becomes effective from the requirements to take an instructional course and to pass a written test prior to obtaining an ATV or snowmobile operator's license;
5. Repeal the current provisions of law relating to operation of ATVs or snowmobiles by persons under 16 years of age; and
6. Require all persons riding ATVs or snowmobiles to wear helmets.

Committee Amendment "A" (S-50) proposed to replace the bill and amend the title to reflect the content of the amendment. This amendment proposed to require any person under 18 years of age to wear a helmet while operating or riding a snowmobile on a snowmobile trail identified by the Department of Conservation, Bureau of Parks and Lands as having been funded by the Snowmobile Trail Fund.

Enacted Law Summary

Public Law 2003, chapter 122 requires any person under 18 years of age to wear a helmet while operating or riding a snowmobile on a snowmobile trail identified by the Department of Conservation, Bureau of Parks and Lands as having been funded by the Snowmobile Trail Fund.

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LD 359

An Act Relating to ATV Registration

**PUBLIC 189
EMERGENCY**

<u>Sponsor(s)</u> FINCH	<u>Committee Report</u> OTP-AM MAJ ONTP MIN	<u>Amendments Adopted</u> H-130
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LD 359 proposed to restrict reciprocity in the registration of all-terrain vehicles to citizens of the State of New Hampshire and the Province of New Brunswick.

Committee Amendment "A" (H-130), which was the majority report of the Joint Standing Committee on Inland Fisheries and Wildlife, proposed to replace the bill and change the title to reflect the content of the amendment. This amendment proposed to:

1. Repeal the reciprocity provision relating to ATV registration;
2. Impose a temporary \$3 fee on all ATV registrations for the registration periods beginning July 1, 2003 and July 1, 2004. The temporary fee would be credited to the ATV Recreational Management Fund of the Department of Conservation;
3. Modify language relating to the ATV law enforcement grant-in-aid program to remove reference to funding for the program coming from the ATV Recreational Management Fund;
4. Add an appropriation section to the bill relating to the increased revenues created by the amendment and appropriate \$50,000 to the Department of Inland Fisheries and Wildlife to restore funding for operational costs; and
5. Add an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2003, chapter 189:

1. Repeals the reciprocity provision relating to ATV registration;
2. Imposes a temporary \$3 fee on all ATV registrations for the registration periods beginning July 1, 2003 and July 1, 2004. The temporary fee is credited to the ATV Recreational Management Fund of the Department of Conservation. (This fee is in addition to the temporary fee increase imposed by the Part I budget bill; the net result is a resident ATV registration fee of \$33 and a nonresident ATV registration fee of \$68 for the registration periods beginning in July 1, 2003 and July 1, 2004);
3. Modifies language relating to the ATV law enforcement grant-in-aid program to remove reference to funding for the program coming from the ATV Recreational Management Fund; and
4. Appropriates \$50,000 to the Department of Inland Fisheries and Wildlife from increased revenues generated by this law to restore funding for operational costs.

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Public Law 2003, chapter 189 was enacted as an emergency measure effective May 16, 2003.

LD 368 **An Act To Increase the Registration Fee for ATVs** **ONTP**

<u>Sponsor(s)</u> FINCH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 368 proposed to increase the annual registration fee for an ATV from \$17 to \$25 for a resident and from \$35 to \$45 for a nonresident. (See LD 359.)

LD 369 **An Act To Create a Closed Season for ATV Use** **ONTP**

<u>Sponsor(s)</u> FINCH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 369 proposed to prohibit a person from operating an ATV during the period from April 1st to May 15th.

LD 370 **An Act To Change the Display of ATV Registration Numbers** **ONTP**

<u>Sponsor(s)</u> FINCH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 370 proposed to require the Department of Inland Fisheries and Wildlife to issue ATV registration decals and provide applicants for ATV registration with certain information regarding ATV registration, use and laws.

LD 388 **An Act To Permit Small Game Hunting on Private Property on Sunday in Unorganized Territory** **CARRIED OVER**

<u>Sponsor(s)</u> MCGLOCKLIN BRYANT		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 388 proposed to allow the Department of Inland Fisheries and Wildlife to authorize a private landowner owning a continuous piece of property that is greater than 500 acres and located entirely within unorganized territory to open that property on Sunday to hunters who have permits to hunt on Sunday. It would not allow the Commissioner of Inland Fisheries and Wildlife to authorize private property for Sunday hunting if the property owner did not keep that property open to hunting by the public. It would allow the commissioner to issue Sunday hunting permits to hunt rabbit and grouse on authorized private property during the regular open season. It would not allow the commissioner to authorize private property for Sunday hunting if that property adjoins certain public property. The bill proposed to make the fee for a Sunday hunting permit \$15.

The bill proposed to set an effective date of January 1, 2004 and a repeal date of January 1, 2006.

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LD 408 **An Act Regarding the Presumption of Violations of the Hunting-on-
Sunday Prohibition** **CARRIED OVER**

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

LD 408 proposes to remove from the law language that makes possessing hunting equipment in a motor vehicle on an unpaved highway or road located in an unorganized township on Sunday prima facie evidence of a violation of the hunting laws. The bill also proposes to allow a person to carry hunting equipment for protection while engaged in activities such as bearbaiting on Sunday.

LD 446 **An Act Regarding Bear Hunting** **CARRIED OVER**

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

LD 446 is a concept draft pursuant to Joint Rule 208 and proposes to make changes to the bear hunting seasons.

LD 448 **An Act To Exempt a Watercraft That Is Equipped with an Electric
Outboard Motor from Paying a Fee for the Certificate of Number** **ONTP**

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

LD 448 proposed to exempt a watercraft that was equipped with an electric outboard motor from paying a fee for the certificate of number.

LD 455 **An Act To Ban the Use of Snares** **ONTP**

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

LD 455 proposed to prohibit the use of snares to capture any wild bird or animal.

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LD 460

An Act To Encourage Dog Tracking of Wounded Big Game Animals

PUBLIC 54

<u>Sponsor(s)</u> TRAHAN HALL		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-39
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LD 460 proposed to direct the Department of Inland Fisheries and Wildlife to allow a person licensed to track wounded animals with a leashed dog to charge a fee for the tracking service. It also proposed to add moose and bear to the list of game animals that a tracker may track and would require the department to list all licensed leashed-dog trackers in any hunting rule publication the department makes available to the general public.

Committee Amendment "A" (H-39) proposed to make unallocated language of the bill allocated language and to clarify that a person who charges a fee only for dog tracking services would not be not considered a guide.

Enacted Law Summary

Public Law 2003, chapter 54 allows a person licensed to track wounded animals with leashed dogs to charge a fee for the tracking service and adds moose and bear to the list of game animals that a tracker may track with leashed dogs.

LD 468

An Act To Amend the Ice Fishing and Fishing Derby Laws

ONTP

<u>Sponsor(s)</u> DUNLAP		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 468 proposed to limit a person licensed to fish through the ice to 2 lines set or otherwise. The bill also proposed to move the open season for ice fishing from January 1st to February 1st. The bill also proposed to restrict fishing derbies to one every other year per body of water.

LD 474

An Act To Strengthen the ATV Laws of the State

ONTP

<u>Sponsor(s)</u> TRAHAN HALL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 474 proposed to raise ATV registration fees to \$50 and dedicate the increase to ATV enforcement and safety education. The bill proposed to require the Department of Inland Fisheries and Wildlife to ensure that registration plates were displayed in a manner that would allow for easy identification of registration numbers and to repeal the ATV registration reciprocity law. The bill also proposed to require ATV operators to get prior written

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permission to operate an ATV on the land of another and to provide treble damages to a land or property owner whose property was damaged by use of an ATV.

(See LD 359.)

LD 565 **An Act To Increase Fish Stocking in Aroostook County** **ONTP**

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

LD 565 proposed to require the Department of Inland Fisheries and Wildlife to stock lakes in Aroostook County at the same level as in other regions of the State.

LD 626 **An Act To Allow the Use of All Deer Parts** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT-DESCHENE BLAIS	ONTP	

LD 626 proposed to allow all parts of a deer carcass to be sold or bartered.

LD 647 **An Act To Prohibit Personal Watercraft on Lake St. George in the Town of Liberty** **PUBLIC 484
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIOTTI WESTON	OTP-AM MAJ OTP-AM MIN	S-286 BRYANT

LD 647 proposed to authorize the Town of Liberty to ban the use of personal watercraft on Lake St. George.

Committee Amendment "A" (H-389), which was the majority report of the Joint Standing Committee on Inland Fisheries and Wildlife, proposed to replace the bill and establish a process for the review of recommendations submitted by a municipality or the Maine Land Use Regulation Commission to restrict the use of watercraft on great ponds within the jurisdiction of that municipality or the Maine Land Use Regulation Commission. It also proposed to prohibit the use of personal watercraft on Lake St. George in the Town of Liberty. (Not adopted)

Committee Amendment "B" (H-390), which is the minority report of the Joint Standing Committee on Inland Fisheries and Wildlife, proposed to replace the bill and prohibit the operation of personal watercraft on Lake St. George in the Town of Liberty. (Not adopted)

House Amendment "A" to Committee Amendment "A" (H-461) proposed to add an emergency preamble and emergency clause to the bill. It also proposed to specifically authorize a municipality or the Maine Land Use

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Regulation Commission to submit recommendations to the Commissioner of the Department of Inland Fisheries and Wildlife regulating the permissible motor size of watercraft on great ponds. (Not adopted)

Senate Amendment "A" (S-286) proposed to replace the bill and prohibit the operation of personal watercraft on Lake St. George in the Town of Liberty. It also proposed to add an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2003, chapter 484 prohibits the operation of personal watercraft on Lake St. George in the Town of Liberty.

Public Law 2003, chapter 484 was enacted as an emergency measure effective June 23, 2003.

LD 679 **An Act to Permit Sunday Hunting in Maine** **ONTP**

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

LD 679 proposed to repeal the law that prohibited hunting wild animals and wild birds on Sunday.

LD 755 **An Act To Permit Sunday Hunting for Residents of the State** **ONTP**

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

LD 755 proposed to specify that the Sunday hunting prohibition applied only to nonresidents, thus allowing residents of the State to hunt on Sundays. Under current law, hunting is prohibited on Sundays.

LD 778 **An Act To Create the Snowmobile Trail Fund Advisory Council** **PUBLIC 260**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK KNEELAND	OTP-AM	H-306

LD 778 proposed to establish the Snowmobile Trail Fund Advisory Council.

Committee Amendment "A" (H-306) proposed to expand the membership of the Snowmobile Trail Fund Advisory Council established by the bill. It also proposed to make certain changes to the terms of members, provide that members are entitled only to expenses, modify the council's duties, provide for its meetings to be held in August and February and require notice of the council's meetings to be in accordance with the Maine Revised Statutes, Title 1, section 406.

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Enacted Law Summary

Public Law 2003, chapter 260 establishes the Snowmobile Trail Fund Advisory Council to provide advice and information on the management of the Snowmobile Trail Fund.

LD 786 **An Act To Provide "Any-deer" Permits to Permanently Disabled Nonambulatory Persons** **PUBLIC 330**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P CARR	OTP-AM	S-144

LD 786 proposed to allow a person with a permanent disability causing that person to be unable to walk to receive a complimentary antlerless deer permit, otherwise known as an any-deer permit.

Committee Amendment "A" (S-144) proposed to replace the bill and allow a person who holds a valid antlerless deer permit to transfer that permit to someone who suffers ambulatory disabilities.

House Amendment "A" to Committee Amendment "A" (H-384) proposed to allow a person who suffers an ambulatory disability and resides in a zone in which antlerless deer permits are not issued to take an antlerless deer on youth deer hunting day. (Not adopted)

Enacted Law Summary

Public Law 2003, chapter 330 allows a person who holds a valid antlerless deer permit to transfer that permit to someone who suffers ambulatory disabilities. It also permits a person who suffers an ambulatory disability and resides in a zone in which antlerless deer permits are not issued to take an antlerless deer on youth deer hunting day.

LD 789 **An Act To Allow a Moose Lottery Winner To Designate a Subpermittee after the Lottery Drawing** **ONTP**

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

LD 789 proposed to allow a winner of a moose permit to designate a subpermittee after the drawing for moose permits and proposed to forbid a moose permit holder from selling the right to be named a subpermittee.

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LD 790 **An Act To Allow a Person To Assist in a Hunt** **ONTP**

<u>Sponsor(s)</u> BRYANT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 790 proposed to allow a person to assist a hunter in the hunting of deer, moose and wild turkeys. The bill proposed to require that the person assisting could not possess a firearm, archery equipment, a weapon or other device to kill, capture or ensnare the deer, moose or wild turkeys during the hunt.

LD 794 **An Act To Remove Home Possession Limits** **ONTP**

<u>Sponsor(s)</u> BRYANT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 794 proposed to exempt from the possession limits in the hunting and fishing statutes of certain animals and fish any of those species that a person could possess in that person's home.

LD 806 **An Act To Simplify the Requirements for Tagging, Registering and Transporting Harvested Animals** **PUBLIC 331**

<u>Sponsor(s)</u> BRYANT PINEAU		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-142
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LD 806 proposed to simplify the tagging and registration requirements for harvested animals by providing the same tagging and registering requirements for bear, deer, moose and wild turkey. The bill also proposed to allow a person to transport a harvested animal if that animal was lawfully harvested and possessed by that person.

Committee Amendment "A" (S-142) proposed to:

1. Remove provisions of the bill regarding gift animals;
2. Remove the requirement that the department advertise registration stations in daily newspapers;
3. Remove the requirement that tags be a part of the hunting license or permit;
4. Change the penalty language for various registration violations to make those violations Class E crimes; and
5. Clarify that once a wild animal is legally harvested, tagged and registered there are no other requirements for the transportation of that animal.

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Enacted Law Summary

Public Law 2003, chapter 331 simplifies the tagging and registration requirements for harvested animals by providing the same tagging and registering requirements for bear, deer, moose and wild turkey. It allows a person to transport a harvested animal if that animal is lawfully harvested and possessed by that person. Additionally, it removes the requirement that tags be issued as part of the hunting license and makes a violation of registration requirements a Class E crime.

LD 827 An Act Regarding Wildlife Habitat Conservation CARRIED OVER

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

LD 827 proposes to allow the Commissioner of Inland Fisheries and Wildlife to enter into an agreement with a landowner to manage a parcel of land in the unorganized territory as wildlife habitat. An agreement may include a provision that exempts the parcel of land that is the subject of the agreement from the property tax. For a landowner who owns more than 1,000 acres in the unorganized territory, it proposes that no more than 15% of that landowner's holdings in the unorganized territory may be the subject of an agreement to manage the land as wildlife habitat.

LD 854 An Act To Amend the Laws Governing the Operation of All-terrain Vehicles CARRIED OVER

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

LD 854 proposes to:

1. Make certain civil violations involving ATVs Class E crimes;
2. Allow the impoundment of an ATV for certain violations based solely on those violations;
3. Increase the resident registration fee for ATVs to \$25, unless the person belongs to an ATV club or organization, in which case the fee is \$20; and
4. Require the Commissioner of Inland Fisheries and Wildlife to appoint an additional game warden for each warden division of the State.

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LD 860

An Act To Allow Smelt Fishing in Long Lake in Aroostook County

PUBLIC 336

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH W MARTIN	OTP-AM MAJ ONTP MIN	H-341

LD 860 proposed to allow smelt fishing by use of a dip net on that part of Long Lake and its tributaries in Township 17, Range 3, Aroostook County. The bill also proposed to set the bag limit at 2 quarts per person.

Committee Amendment "A" (H-341) is the majority report of the Joint Standing Committee on Inland Fisheries and Wildlife and proposed to replace the bill. It would allow the recreational harvest of smelt on certain portions of Long Lake and proposed to make a violation of the daily bag limit a Class E crime. It also proposed to make the commercial harvest of smelt in those portions of Long Lake a Class D crime with a minimum fine of \$1,000. The authority to harvest smelt under this amendment would be repealed December 31, 2005.

Enacted Law Summary

Public Law 2003, chapter 336 allows for the recreational harvest of smelt on portions of Long Lake until December 31, 2005. It makes exceeding the daily bag limit a Class E crime and the commercial harvests of smelt in those portions of Long Lake a Class D crime with a minimum fine of \$1,000.

LD 867

An Act To Waive the Fee for Fishing Licenses for Disabled Persons

ONTP

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

LD 867 proposed to amend the law allowing blind residents free fishing licenses by allowing any blind or disabled person a free fishing license.

LD 875

An Act To Promote and Advance Wild Ring-necked Pheasant Propagation

**PUBLIC 139
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
USHER CARPENTER	OTP-AM	H-129

LD 875 proposed to establish a hunting season for male pheasants only and would direct the Commissioner of Inland Fisheries and Wildlife to immediately create 2 hunting seasons, one in the spring and one in the fall, to hunt male pheasants in the coastal area from Kittery to Bath.

Committee Amendment "A" (H-129) proposed to remove language from the original bill that authorizes a spring pheasant hunt and would clarify that a person who takes a female pheasant commits a Class E crime.

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Enacted Law Summary

Public Law 2003, chapter 139 prohibits the taking a female pheasant in certain areas of the State and directs the Commissioner of Inland Fisheries and Wildlife to create a fall hunting season for male pheasants in the coastal area from Kittery to Bath.

Pubic Law 2003, chapter 139 was enacted as an emergency measure effective May 14, 2003.

LD 888 **An Act To Establish a Season for Hunting Deer with Primitive Muzzle-loading Firearms** **ONTP**

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

LD 888 proposed to define "primitive muzzle-loading firearm" and proposed to create a special primitive muzzle-loading hunting season for deer from the 10th Monday preceding Thanksgiving Day to the 9th Monday preceding Thanksgiving.

LD 932 **An Act To Amend the Season for Laying Bait for Bear** **ONTP**

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

LD 932 proposed to separate the season for placing bait for bear from the season for hunting bear with dogs.

LD 953 **An Act To Exempt Children under 17 Years of Age from Certain Fishing Restrictions** **ONTP**

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

LD 953 proposed to allow children under 17 years of age to fish using any legal fishing technique in any state waters open to fishing.

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LD 1040 **An Act To Ensure an Equitable Allocation of Federal Sport Fish Restoration Funding between Saltwater and Freshwater Fisheries Projects** **ONTP**

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

LD 1040 proposed to require the Department of Inland Fisheries and Wildlife, in cooperation with the Department of Marine Resources, to conduct an annual survey of people fishing in the inland and coastal waters of the State and to use the survey results to equitably distribute federal funds between saltwater and freshwater fisheries projects. The bill also proposed to require that a report on the results of the survey and the distribution of the federal grant funds was presented annually to the Joint Standing Committee on Inland Fisheries and Wildlife and the Joint Standing Committee on Marine Resources.

LD 1061 **An Act To Amend the Filing Requirements for Special Hide Dealers** **PUBLIC 269**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT-DESCHENE BLAIS	OTP-AM	H-303

LD 1061 proposed to reduce the paperwork requirement under a special hide dealer's license by requiring only that the dealer ensure that a deer hide is properly tagged.

Committee Amendment "A" (H-303) proposed to replace the original bill and would remove the requirement that special hide dealers make certain annual filings with the Department of Inland Fisheries and Wildlife. It also proposed to require that dealers maintain hide records for at least 3 years.

Enacted Law Summary

Public Law 2003, chapter 269 removes the requirement that special hide dealers make annual filings with the Department of Inland Fisheries and Wildlife and requires dealers to retain certain records for at least three years.

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LD 1083

An Act To Encourage Hunting by Simplifying Hunting Laws

PUBLIC 333

Sponsor(s)
DUNLAP
BRYANT

Committee Report
OTP-AM

Amendments Adopted
H-391

LD 1083 proposed to:

1. Include "mechanical broadheads when open" in the width requirement for arrowheads used to hunt deer;
2. Remove the requirement that the department advertise bear and deer registration stations in newspapers;
3. Repeal the ban on hunting waterfowl on Haley Pond;
4. Repeal the ban on deer hunting in 8 localities and the open season on deer in the Town of Vinalhaven and the Town of Southport;
5. Allow the commissioner to provide resident landowners with unallocated nonresident antlerless deer permits and authorizes the transfer of any-deer permits to any hunter;
6. Repeal the requirement that a person must accompany a deer while it is being moved or transported;
7. Repeal the ban on firearms in the Town of Southport;
8. Limit agent fees to \$2 per transaction;
9. Extend the prohibition on twilight hunting to beyond firearm season on deer;
10. Amend the prohibition on placing bear bait within 500 yards of a dump by clarifying the word "dump" to mean a site permitted or licensed for the disposal of solid waste and extends the demarcation line around disposal sites to 500 yards;
11. Extend the period of time a person may keep an unregistered wild turkey from 12 to 18 hours, making it consistent with other game animals; and
12. Provide the Commissioner of Inland Fisheries and Wildlife with the authority to extend the open season on deer as well as terminate it if the commissioner considers it necessary to manage the deer population.

Committee Amendment "A" (H-391) proposed to replace the bill and to:

1. Change the location used for determining sunrise and sunset times from Augusta to Bangor and defines night hunting as hunting between 30 minutes after sunset and 30 minutes before sunrise;
2. Repeal the twilight hunting prohibition;

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3. Cap the amount of agent fees that can be charged for a single transaction at \$6 and defines a "transaction" to mean a single event in which one or more licenses or permits are issued to a given person in that person's name;
4. Include "mechanical broadheads when open" in the width requirement for arrowheads used to hunt deer;
5. Repeal the requirement that the Department of Inland Fisheries and Wildlife advertise bear and deer registration stations in one or more of the State's daily newspapers;
6. Amend the prohibition on placing bear bait within 500 yards of a dump by clarifying the word "dump" to mean a site permitted or licensed for the disposal of solid waste, and it extends to 500 yards the area around a solid waste disposal site that is off limits to bear hunting and trapping activities;
7. Clarify the prohibition against discharging a weapon near a dwelling;
8. Allow a person to shoot from a boat as long as the boat is not being propelled by its motor;
9. Amend the law to remove the requirement that the Department of Inland Fisheries and Wildlife provide bear tags as part of the big game license;
10. Repeal the law that would allow a person to leave an unregistered bear in the woods if, within 18 hours, that person notifies a game warden about the location of the bear and the reasons for leaving it in the woods;
11. Amend the law to allow a person to possess a gift bear, deer, moose or wild turkey if it is labeled with the name of the person who registered the animal and the year that person registered the animal;
12. Clarify that a person may not shoot more than one moose per year;
13. Clarify existing law that a person may assist in a hunt as long as that person does not possess hunting equipment or conduct illegal game driving activities; and
14. Allow a person to keep more than one lawfully possessed bear, deer or moose in that person's home.

Enacted Law Summary

Public Law 2003, chapter 333 does the following:

1. It changes the location used for determining sunrise and sunset times from Augusta to Bangor and defines night hunting as hunting between 30 minutes after sunset and 30 minutes before sunrise;
2. It repeals the twilight hunting prohibition;
3. It caps the amount of agent fees that can be charged for a single transaction at \$6 and defines a "transaction" to mean a single event in which one or more licenses or permits are issued to a given person in that person's name;
4. It includes "mechanical broadheads when open" in the width requirement for arrowheads used to hunt deer;
5. It repeals the requirement that the Department of Inland Fisheries and Wildlife advertise bear and deer registration stations in one or more of the State's daily newspapers;

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6. It amends the prohibition on placing bear bait within 500 yards of a dump by clarifying the word "dump" to mean a site permitted or licensed for the disposal of solid waste, and it extends from 200 yards to 500 yards the area around a solid waste disposal site that is off limits to bear hunting and trapping activities;
7. It allows a person to shoot from a boat as long as the boat is not being propelled by its motor;
8. It removes the requirement that the Department of Inland Fisheries and Wildlife provide bear tags as part of the big game license;
9. It repeals the law that allows a person to leave an unregistered bear in the woods if, within 18 hours, that person notifies a game warden about the location of the bear and the reasons for leaving it in the woods;
10. It allows a person to possess a gift bear, deer, moose or wild turkey if it is labeled with the name of the person who registered the animal and the year that person registered the animal;
11. It clarifies that a person may not shoot more than one moose per year;
12. It clarifies existing law that a person may assist in a hunt as long as that person does not possess hunting equipment and does not conduct illegal game driving activities; and
13. It allows a person to keep more than one lawfully possessed bear, deer or moose in that person's home.

LD 1122 **An Act To Allow A Junior Hunter To Apply for an Antlerless Deer Permit** **ONTP**

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

LD 1122 proposed to allow a junior hunter to apply for a junior hunting license before the junior hunter's 10th birthday, if the junior hunter would be 10 years of age by the first day of hunting season. It also proposed to allow a junior hunter to apply for an antlerless deer permit.

LD 1161 **An Act To Exempt Saltwater-only Boats from the Lake and River Protection Sticker Requirements** **ONTP**

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

LD 1161 proposed to exempt a motorboat or personal watercraft used only in salt water from the requirement for a lake and river protection sticker. (This is existing law.)

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LD 1166 **Resolve, To Allow Selected Northern Maine Deer Hunters To Take 2 Deer** **ONTP**

<u>Sponsor(s)</u> JACKSON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1166 proposed to direct the Commissioner of Inland Fisheries and Wildlife to amend the deer hunting rules to allow hunters in the northern wildlife management districts to get a 2-deer permit.

LD 1170 **An Act To Redefine "Muzzle-loading Firearm"** **PUBLIC 440**

<u>Sponsor(s)</u> TRAHAN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-537
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LD 1170 proposed to redefine "muzzle-loading firearm" by providing clear definitions of a basic muzzleloader, a primitive muzzleloader and a traditional muzzleloader. It proposed to remove language that limits the authority of the Commissioner of Inland Fisheries and Wildlife to extend the muzzle-loading open season on deer for more than 12 days in any part of the State. It also proposed to authorize the commissioner to establish different seasons for the 3 types of muzzleloaders.

Committee Amendment "A" (H-537) proposed to replaces the bill. It proposed to redefine "muzzle-loading firearm" by providing definitions for a muzzleloader, a traditional muzzleloader and a muzzle-loading shotgun.

Enacted Law Summary

Public Law 2003, chapter 440 redefines "muzzle-loading firearm" by providing definitions for a muzzleloader, a traditional muzzleloader and a muzzle-loading shotgun.

LD 1179 **An Act To Encourage Youth Participation in Fishing** **ONTP**

<u>Sponsor(s)</u> KNEELAND		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1179 proposed to allow a person 12 years of age or younger to fish with worms in all areas of the State, except in the rivers that have salmon listed as endangered.

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LD 1191 **An Act To Require a Resident To Purchase a Hunting License Before Entering Any Hunting Lottery** **ONTP**

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

LD 1191 proposed to require a resident to hold the appropriate hunting license in order to be eligible to participate in a hunting lottery.

LD 1195 **An Act To Allow the Transfer of Certain Permits** **ONTP**

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

LD 1195 proposed to allow the transfer of valid moose, wild turkey and antlerless deer permits. The bill also proposed to prohibit the sale of valid moose, wild turkey or antlerless deer permits.

LD 1227 **An Act To Extend the Firearm Deer Hunting Season** **ONTP**

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

LD 1227 proposed to extend the regular firearm deer hunting season statewide by 2 weeks, one week before the current season began and one week after the current season ended.

LD 1238 **An Act To Encourage Hunting by Improving Hunting Laws** **ONTP**

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

LD 1238 proposed to do the following:

1. Amend the definition of "hunt" to exclude the word "pursue";
2. Exclude the expanded archery deer season from the prohibition on hunting another deer after having harvested one with a bow and arrow during the special archery season;

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3. Allow a landowner to stock pheasants on that person's property without a permit and allow the free hunting of those pheasants without a hunting license or permit;
4. Repeal the unconventional weapon deer hunting license;
5. Clarify that the prohibition against discharging a weapon near a dwelling applied to residential dwellings;
6. Remove the requirement that a person would get a landowner's permission before using a portable tree stand on that landowner's property;
7. Repeal the prohibitions against leaving duck decoys and stationary blinds on the waters of Merrymeeting Bay overnight;
8. Amend the prohibition on the use of artificial lights to hunt deer or moose to allow such use except during the firearm or muzzle-loading season;
9. Allow a person to shoot from a boat as long as the boat was not being propelled by its motor;
10. Amend the law to remove the requirement that the Department of Inland Fisheries and Wildlife provide bear tags as part of the big game license;
11. Repeal the prohibition against a person killing a bear and failing to take the bear with that person;
12. Repeal provisions of law limiting the transportation of bear and deer out of the State;
13. Repeal the prohibition on baiting deer;
14. Clarify that a person could shoot only one moose per year and require that the name of a person who was awarded a moose permit through the auction program was removed from the chance drawing;
15. Repeal the provisions of law prohibiting possession of a gift bear, deer, moose or wild turkey unless certain conditions were met;
16. Allow the Commissioner of Inland Fisheries and Wildlife to suspend the game laws regarding game animals that became nuisance animals and to allow those animals to be hunted with dogs;
17. Amend the prohibition on placing bear bait within 500 yards of a dump by clarifying the word "dump" to mean a site permitted or licensed for the disposal of solid waste and extend the demarcation line around disposal sites to 500 yards;
18. Extend the period of time a person could keep an unregistered wild turkey from 12 to 18 hours, which was an amount of time consistent with that allowed for keeping other game animals; and
19. Amend the law to remove provisions pertaining to the transportation of harvested wild animals and wild birds.

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LD 1255

An Act To Permit Sebago Lake Mooring Extensions

ONTP

<u>Sponsor(s)</u> CRESSEY BENNETT R	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1255 proposed to limit the placement of a mooring on Sebago Lake to within 200 feet from shore but to allow the placement of a mooring up to 600 feet from shore in a cove or mouth of a cove. A mooring placed beyond the 200-foot limit could require an extra fee that would be used for harbor master expenses, and would be required to be illuminated from dusk to dawn during boating season. Moorings could not be placed in front of the property of an adjoining property owner and would be required to be removed by the same date that the harbor master required the removal of boats from the lake. This bill would not apply to those portions of Sebago Lake under the jurisdiction of the Portland Water District.

LD 1259

An Act Regarding Hunting Hours, Permits and Seasons

ONTP

<u>Sponsor(s)</u> DUNLAP BRYANT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1259 proposed to do the following:

1. Set the hunting hours except for coyote, raccoon and wild turkey to 30 minutes prior to sunrise and 15 minutes after sunset. Wild turkey hunting hours were extended from 11:00 a.m. to 12:00 noon. Twilight hunting was defined as that period of time between sunset and 15 minutes after sunset and for the purposes of this provision sunset was the time the sun set in Bangor, Maine;
2. Require the Commissioner of Inland Fisheries and Wildlife to establish a system by rule that allowed a person to transfer a valid hunting permit to another person and prohibit the transferee from selling or charging a fee for that permit;
3. Require residents to obtain a valid hunting license prior to applying for certain permits;
4. Repeal all hunting seasons set in statute and provide the Commissioner of Inland Fisheries and Wildlife with the authority to set, expand or shorten hunting seasons by rule. This change had an effective date of July 1, 2004;
5. Repeal the requirement that a license holder would exhibit that license holder's license, upon request, to a registered Maine guide or an employee of the department who was not a game warden; and
6. Repeal the provision that made possession of hunting equipment in a vehicle on Sunday prima facie evidence of Sunday hunting.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 1280

An Act To Improve Boating in Maine

PUBLIC 277

<u>Sponsor(s)</u> BENNETT R		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1280 proposed to require airmobiles and motorboats to pass noise limit tests with cutouts engaged and disengaged and to set a minimum of a \$300 fine for exceeding noise limits. It proposed to exempt those vessels from the noise limits while the vessels were engaged in an organized racing event that was sanctioned by a recognized racing organization and registered with the Commissioner of Inland Fisheries and Wildlife. The bill also proposed to prohibit the discharge of septic fluids into the inland waters of the State.

Enacted Law Summary

Public Law 2003, chapter 277 requires airmobiles and motorboats to pass noise limit tests with cutouts engaged and disengaged and sets a minimum of a \$300 fine for exceeding noise limits. It also exempts those vessels from the noise limits while the vessels are engaged in an organized racing event that is sanctioned by a recognized racing organization and registered with the Commissioner of Inland Fisheries and Wildlife. The bill also clarifies that the discharge of septic fluids into the inland waters of the State is illegal.

LD 1358

Resolve, To Reestablish the Commission To Study the Needs and Opportunities Associated with the Production of Salmonid Sport Fish in Maine

**RESOLVE 89
EMERGENCY**

<u>Sponsor(s)</u> BRYANT CLARK		<u>Committee Report</u>		<u>Amendments Adopted</u> H-97 DUNLAP S-271 BRYANT
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LD 1358 proposed to reestablish the Commission to Study the Needs and Opportunities Associated with the Production of Salmonid Sport Fish in Maine.

House Amendment "A" (H-97) proposed to alter the membership of the commission reestablished in the resolve and limits the commission's duties to providing assistance in the expenditure of the funds authorized under Private and Special Law 2001, chapter 71 for the renovations and enhancement of wastewater treatment at the Department of Inland Fisheries and Wildlife's fish-rearing facilities. This amendment also proposed to remove the requirement that the commission report back to the Legislature and to add an appropriation and allocation section.

Senate Amendment "A" to House Amendment "A" (S-262) proposed to authorize the commission to hold up to 2 meetings and to direct the Department of Inland Fisheries and Wildlife, rather than the Office of Policy and Legal Analysis, to staff the commission. It proposed to remove language that directed the Commissioner of Inland Fisheries and Wildlife to use funds in the fish hatchery maintenance fund to reimburse costs associated with the per diem and expenses of commission members. Additionally, the amendment proposed to reduce the appropriation. (Not adopted)

Senate Amendment "B" to House Amendment "A" (S-271) proposed to authorize the commission to hold up to 2 meetings and to remove language that directed the Commissioner of Inland Fisheries and Wildlife to use funds in

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the fish hatchery maintenance fund to reimburse costs associated with the per diem and expenses of commission members. The amendment also proposed to reduce the appropriation.

Enacted Law Summary

Resolve 2003, chapter 89 reestablishes the Commission to Study the Needs and Opportunities Associated with the Production of Salmonid Sport Fish in Maine. It authorizes the commission to hold up to 2 meetings and limits the commission's duties to providing assistance in the expenditure of the funds authorized under Private and Special Law 2001, chapter 71 for the renovations and enhancement of wastewater treatment at the Department of Inland Fisheries and Wildlife's fish-rearing facilities.

Resolve 2003, chapter 89 was passed as an emergency measure effective June 23, 2003.

LD 1366 An Act To Ensure Boating Safety ONTP

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

LD 1366 proposed to require a boating safety course approved by the Commissioner of Inland Fisheries and Wildlife for any children's summer camp or recreation program personnel who would be operating a motorboat carrying a child or children. The bill proposed to require the commissioner to adopt rules requiring motorboats to be equipped with horns or other sound-making devices, establishing reduced speed zones near children's summer camps and establishing a training program for volunteer boating safety instructors. The bill also proposed to establish a 7-member Boating Safety Study Group to review issues surrounding boating safety on the State's inland waters.

LD 1426 An Act To Give Moose Permits to Members of the Wesget-Sipu Organization ONTP

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

LD 1426 proposed to require the Commissioner of Inland Fisheries and Wildlife to issue a moose permit to every member of the Wesget-Sipu organization.

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LD 1456 **An Act To Establish the Landowners and Sportsmen Relations Advisory Board** **PUBLIC 280**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP BRYANT	OTP-AM	H-305

LD 1456 proposed to establish the Landowners and Sportsmen Relations Advisory Board.

Committee Amendment "A" (H-305) proposed to add one member to the advisory board who would represent a utility corridor ownership interest and to remove compensation for board members.

Enacted Law Summary

Public Law 2003, chapter 280 establishes the Landowners and Sportsmen Relation Advisory Board.

LD 1474 **An Act Concerning Public Boat Launch Sites** **ONTP**

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

LD 1474 proposed to impose new requirements for the creation or alteration of public boat launch sites.

The bill proposed to require local involvement in the process and to require the Department of Inland Fisheries and Wildlife to establish buffer zones around launch sites and to install and maintain navigational aids at the launch sites.

LD 1482 **An Act To Revise Certain Provisions of Maine's Fish and Wildlife Laws** **PUBLIC 403
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP BRYANT	OTP-AM	H-422 H-524 DUNLAP

LD 1482 proposed to:

1. Amend the laws governing accident reports by whitewater trip outfitters, to change the amount of property damage requiring a report from \$100 to \$1,000, which would be consistent with other reporting requirements for boating, and to clarify that the reporting requirement for medical attention is for professional medical attention;
2. Repeal laws requiring the department to publish lists of bear and deer registration stations in a daily newspaper;

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3. Repeal the requirement that if rulemaking is necessary to shorten the open season on deer, regulate the taking of antlerless deer or create special hunting seasons, the determination would have to be made and published by a certain date;
4. Repeal the requirement that the disabled hunter, trapper and angler advisory committee have a licensed physician as a member;
5. Establish the Becoming an Outdoors Woman program as a program within the department;
6. Authorize the department to issue complimentary fishing licenses to persons with acquired brain injury;
7. Amend the law regarding deer tags so that the department has flexibility in how the tag is issued;
8. Authorize the department to sell extra copies of the Maine Revised Statutes, Title 12, chapters 701 to 721, as prepared and printed by the department to help offset the cost of printing;
9. Repeal the requirement that a trespass reminder and convicted felon statement be printed on licenses;
10. Establish a reinstatement fee for licenses that are suspended for failure to comply with court-ordered support under the Maine Revised Statutes, Title 19-A, section 2201;
11. Require that bait and baitfish be sold in containers that are composed in whole of biodegradable paper or cardboard;
12. Make the amount of time for registering wild turkeys the same as that for registering bear, deer and moose, 18 hours. It is currently 12 hours;
13. Amend the law prohibiting fishing from a dam in which a fishway is located to make it unlawful to fish from any operational fishway rather than from the dam;
14. Amend the snowmobile laws by making a parent or guardian of a minor under 18 years of age responsible if that minor operates a snowmobile in violation of the snowmobile laws. This would be consistent with ATV law;
15. Remove the current language in the law that applies the law of operating to endanger only to the statewide snowmobile trail system or a public right-of-way that is open to snowmobiling;
16. Establish a grace period for migratory waterfowl permits and changes the permit to a calendar year permit. Currently, permits expire on June 30th following the season for which they were issued. These permits are now issued in the form of a license rather than a stamp and will coincide with the licensing year;
17. Require that snowmobile operators stop before entering a public way or private way maintained for travel and that snowmobile operators yield the right-of-way to all vehicular traffic while operating on a public way or private way maintained for travel;
18. Amend the law regarding dogs chasing, wounding or killing moose and deer, by adding wild turkeys to the list; and

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19. Allow the Commissioner of Inland Fisheries and Wildlife to establish rules regarding permittees that are selected to receive a moose hunting permit but are unable to use the permit.

Committee Amendment "A" (H-422) proposed to prohibit the use of personal watercraft on Indian Pond and defines "aquarium" for the purposes of importing and possessing nonnative and exotic species. The amendment proposed to exempt a person who holds a smelt wholesale license and fishes with a hook and line from certain restrictions regarding the taking and selling of live smelt. It would also strike the language from the bill that would allow a deer tag to be issued separately from a big game license. The amendment also proposed to clarify that the State has exclusive jurisdiction over the regulation of all-terrain vehicles. Finally, the amendment proposed to establish a lifetime trapping license and adjusts the cost of combination lifetime licenses to better reflect other fee structures.

House Amendment "A" to Committee Amendment "A" (H-524) proposed to specify that, notwithstanding the State's exclusive jurisdiction over the regulation of all-terrain vehicles, a municipality may regulate the operation of all-terrain vehicles on municipal property and on rights-of-way and easements held by the municipality.

Enacted Law Summary

Public Law 2003, chapter 403 makes the following changes to fish and wildlife laws:

1. In the law governing accident reports by whitewater trip outfitters, it changes the amount of property damage requiring a report from \$100 to \$1,000, which is consistent with other reporting requirements for boating, and clarifies that the reporting requirement for medical attention is for professional medical attention;
2. It removes the requirement that the department publish lists of bear and deer registration stations in a daily newspaper;
3. It removes the requirement that if rulemaking is necessary to shorten the open season on deer, regulate the taking of antlerless deer or create special hunting seasons, the determination must be made and published by a certain date;
4. It removes the requirement that the disabled hunter, trapper and angler advisory committee have a licensed physician as a member;
5. It establishes the Becoming an Outdoors Woman program as a program within the department;
6. It authorizes the department to issue complimentary fishing licenses to persons with acquired brain injury;
7. It authorizes the department to sell extra copies of the Maine Revised Statutes, Title 12, chapters 701 to 721, as prepared and printed by the department to help offset the cost of printing;
8. It prohibits the use of personal watercraft on Indian Pond;
9. It removes the requirement that a trespass reminder and convicted felon statement be printed on licenses;
10. It establishes a reinstatement fee for licenses that are suspended for failure to comply with court-ordered support under the Maine Revised Statutes, Title 19-A, section 2201;

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11. It requires that bait and baitfish be sold in containers that are composed in whole of biodegradable paper or cardboard;
12. It makes the amount of time for registering wild turkeys the same as that for registering bear, deer and moose, 18 hours. It is currently 12 hours;
13. It amends the law prohibiting fishing from a dam in which a fishway is located to make it unlawful to fish from any operational fishway rather than from the dam;
14. It provides that a parent or guardian of a minor under 18 years of age is guilty of unlawfully permitting the operation of a snowmobile if that minor operates a snowmobile in violation of the snowmobile laws;
15. It amends the law to extend the applicability of the prohibition on operating a snowmobile to endanger from only applying to statewide snowmobile trail systems or public right-of-ways open to snowmobiling to all areas of the State;
16. It changes the expiration date for migratory waterfowl permits from June 30th to December 31st of the year issued;
17. It requires that snowmobile operators stop before entering a public way or private way maintained for travel and that snowmobile operators yield the right-of-way to all vehicular traffic while operating on a public way or private way maintained for travel;
18. It adds wild turkeys to and removes elk and caribou from the list of wild animals that an owner must prevent a nuisance dog from chasing or killing;
19. It allows the Commissioner of Inland Fisheries and Wildlife to establish rules regarding permittees that are selected to receive a moose hunting permit but are unable to use the permit;
20. It defines "aquarium" for the purposes of importing and possessing nonnative and exotic species;
21. It exempts a person who holds a smelt wholesale license and fishes with a hook and line from certain restrictions regarding the taking and selling of live smelt;
22. It clarifies that the State has exclusive jurisdiction over the regulation of all-terrain vehicles except that a municipality may regulate the operation of all-terrain vehicles on municipal property and on rights-of-way and easements held by the municipality; and
23. It establishes a lifetime trapping license and adjusts the cost of combination lifetime licenses to better reflect other fee structures.

Public Law 2003, chapter 403 was enacted as an emergency measure effective June 3, 2003.

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LD 1503 **An Act To Limit the Size of Motorboat Engines Used on Paradise Pond** **ONTP**

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

LD 1503 proposed to prohibit the operation of a motorboat equipped with a motor greater than 10 horsepower on Paradise Pond in the Town of Damariscotta in Lincoln County.

LD 1600 **An Act To Recodify the Laws Governing Inland Fisheries and Wildlife** **PUBLIC 414**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-171

LD 1600 proposed to recodify the Maine Revised Statutes, Title 12, Part 10 pursuant to Joint Order 2003, Senate Paper 440.

Committee Amendment "A" (S-171) proposed to direct the Department of Inland Fisheries and Wildlife to develop recommendations to address legal ambiguities and other issues identified by the Office of Policy and Legal Analysis in the course of its work on the recodification. The department would be directed to seek drafting assistance from the Office of Policy and Legal Analysis in preparing recommended legislation. The amendment also proposed to clarify that the authorization for the Joint Standing Committee on Fisheries and Wildlife to report out legislation and the directive to the department to develop recommendations would be exempt from the delayed effective date of the rest of the bill.

Enacted Law Summary

Public Law 2003, chapter 414 recodifies the Maine Revised Statutes, Title 12, Part 10 pursuant to Joint Order 2003, Senate Paper 440 and takes effect 90 days after the adjournment of the Second Regular Session of the 121st Legislature. It also directs the Department of Inland Fisheries and Wildlife to develop recommendations to address legal ambiguities and other issues identified by the Office of Policy and Legal Analysis in the course of its work on the recodification and submit legislation to implement its recommendations to the Second Regular Session of the 121st Legislature.

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LD 1635

An Act Concerning Illegal Introduction of Fish into Maine Waters

**PUBLIC 491
EMERGENCY**

Sponsor(s)
BRYANT
DUNLAP

Committee Report

Amendments Adopted

LD 1635 proposed to require that any fish legally taken from inland waters must either be released alive into the waters from which it was taken or immediately killed. It also proposed to make possession of live fish in violation of this requirement a Class E crime and to require the suspension of a violator's fishing license for at least one year.

Enacted Law Summary

Public Law 2003, chapter 491 requires that any fish legally taken from inland waters must either be released alive into the waters from which it was taken or immediately killed. It also makes possession of live fish in violation of this requirement a Class E crime and requires the suspension of a violator's fishing license for at least one year.

Public Law 2003, chapter 491 was enacted as an emergency measure effective June 23, 2003.