

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Inland Fisheries and Wildlife*

*August 2005*

**Members:**

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

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

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

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

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

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

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

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

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

## Joint Standing Committee on Inland Fisheries and Wildlife

**LD 1287**                      **An Act Pertaining to the Use of Muzzle-loading Firearms during Muzzle-loading Deer Season**                      **PUBLIC 280**

<u>Sponsor(s)</u> ANNIS DAVIS P		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-433
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LD 1287 would allow the use of any muzzle-loading firearm during muzzle-loading-only open season on deer and specify that double-barreled muzzle-loading firearms may be used with both barrels loaded.

**Committee Amendment "A" (H-433)** proposed to provide that during the muzzle-loading-only deer season a person may use both barrels of a traditional muzzleloader when using projectiles of 40 caliber or greater or buckshot and both barrels of a muzzle-loading shotgun.

### *Enacted law summary*

Public Law 2005, chapter 280 provides that during the muzzle-loading-only deer season a person may use both barrels of a muzzle-loading shotgun or a traditional muzzleloader if it is loaded with projectiles of 40 caliber or greater or buckshot.

**LD 1298**                      **An Act To Provide Free Hunting and Fishing Permits to Senior Citizens**                      **ONTP**

<u>Sponsor(s)</u> BERUBE COURTNEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1298 proposed to allow senior citizens 70 years of age or older to hunt on the day established as youth deer hunting day. It would also provide a free hunting and fishing license to any person 70 years of age or older.

**LD 1300**                      **An Act To Create the ATV Trail Advisory Council**                      **PUBLIC 186  
EMERGENCY**

<u>Sponsor(s)</u> MOODY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-287
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LD 1300 proposed to create the ATV Trail Advisory Council.

**Committee Amendment "A" (H-287)** proposed to modify the membership of the ATV Trail Advisory Council as follows:

1. Require that the 3 members who represent ATV clubs that are ATV Recreational Management Fund grantees be from local clubs from different regions of the State and that one of those members belong to both an ATV club and a snowmobile club;

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2. Reduce the number of members who represent municipal ATV Recreational Management Fund grantees from 3 to one;
3. Reduce the number of members who represent a statewide organization with an interest in operating ATVs from 2 to one;
4. Require the business member to represent both ATV and snowmobile interests;
5. Require the landowner member to represent large landowners with holdings of more than 250,000 acres;
6. Add one member who represents a statewide environmental group;
7. Add one member who represents a statewide farming organization;
8. Add one member who represents woodlot owners' interests; and
9. Provide for 2 temporary members of the council from the Department of Inland Fisheries and Wildlife that are removed from the council after February 1, 2006.

It proposed to change the meeting dates for the council from August and February to April and September. It would establish special duties for the council and require the council to report its findings and recommendations regarding those duties to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2006.

### *Enacted law summary*

Public Law 2005, chapter 186 creates the ATV Trail Advisory Council. It also provides special duties related to ATV matters for the council to complete in the short-term and requires the council to report its findings and recommendations regarding those duties to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2006.

Public Law 2005, chapter 186 was enacted as an emergency measure effective May 20, 2005.

**LD 1313**                      **Resolve, To Evaluate the Possibility of a Moose Hunt in Southern Maine**                      **RESOLVE 71**

<u>Sponsor(s)</u> TUTTLE BRYANT B		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-450
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LD 1313 proposed to direct the Commissioner of Inland Fisheries and Wildlife to establish an experimental 2-year moose lottery in Cumberland County and York County and report to the Legislature with an evaluation of the experimental lottery to the First Regular Session of the 123rd Legislature.

**Committee Amendment "A" (H-450)** proposed to change the bill's title, remove the requirement that the Commissioner of Inland Fisheries and Wildlife establish an experimental moose hunt lottery in Cumberland County and York County and require the commissioner to evaluate the possibility of a moose hunt in southern Maine.