

# MAINE STATE LEGISLATURE

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**RDS**  
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L.D. 1300

DATE: **5/9/05**

(Filing No. H-**287**)

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**INLAND FISHERIES AND WILDLIFE**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
122ND LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT **A** to H.P. 897, L.D. 1300, Bill, "An Act To Create the ATV Trail Advisory Council"

Amend the bill in section 2 in that part designated "**§1893-C.**" by striking out all of subsection 1 (page 1, lines 34 to 50 and page 2, line 2 in L.D.) and inserting in its place the following:

'1. Appointment and composition. The ATV Trail Advisory Council, referred to in this section as "the advisory council" and established by Title 5, section 12004-I, subsection 3-C, consists of 11 members. The director or the director's designee serves as an ex officio member and may vote only to break a tie. The other 10 members are appointed by the commissioner as follows:

A. Three members who represent local ATV clubs from different regions of the State that are ATV Recreational Management Fund grantees. One of these members must belong to both an ATV club and a snowmobile club;

B. One member who represents municipal ATV Recreational Management Fund grantees;

C. One member who represents a statewide organization with an interest in operating ATVs;

D. One member who represents ATV and snowmobile business interests;

**COMMITTEE AMENDMENT**

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COMMITTEE AMENDMENT "A" to H.P. 897, L.D. 1300

2 E. One member who represents large landowner interests with  
4 land holdings of more than 250,000 acres;

6 F. One member who represents a statewide environmental  
8 group;

10 G. One member who represents a statewide farming  
12 organization; and

14 H. One member who represents woodlot owners' interests.'

16 Further amend the bill in section 2 in that part designated  
18 "~~§1893-C.~~" in subsection 2 in the 3rd line (page 2, line 6 in  
20 L.D.) by striking out the following: "B and C" and inserting in  
22 its place the following: 'B, C and D'

24 Further amend the bill in section 2 in that part designated  
26 "~~§1893-C.~~" in subsection 5 in the 2nd line (page 2, line 35 in  
L.D.) by striking out the following: "meeting in August" and  
inserting in its place the following: 'initial meeting'

28 Further amend the bill in section 2 in that part designated  
30 "~~§1893-C.~~" in subsection 6 in the 2nd line (page 2, line 40 in  
L.D.) by striking out the following: "August and February" and  
inserting in its place the following: 'April and September'

32 Further amend the bill by inserting after section 2 the  
following:

34 '**Sec. 3. Special duties of ATV Trail Advisory Council.** The ATV  
Trail Advisory Council shall study the following ATV-related  
issues and report its findings and recommendations to the Joint  
Standing Committee on Inland Fisheries and Wildlife by February  
1, 2006. The ATV Trail Advisory Council shall:

36 1. Study the feasibility of establishing an ATV trail pass  
and provide suggested legislation for a trail pass system;

38 2. Review property access laws and land use issues  
regarding the operation of ATVs on private property;

40 3. Review the State's current age restrictions on the  
42 operation of ATVs and determine if those age restrictions must be  
44 modified; and

46 4. Review the recommendations of the Governor's ATV Task  
48 Force report that have not already been enacted by the  
Legislature and determine if it is economically feasible to  
50 implement any of those remaining recommendations.

R.O.S.

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**Sec. 4. Temporary members of ATV Trail Advisory Council.** Until February 1, 2006, the ATV Trail Advisory Council includes 2 additional members who represent the Department of Inland Fisheries and Wildlife appointed by the Commissioner of Inland Fisheries and Wildlife. These members are entitled to compensation as provided in the Maine Revised Statutes, Title 12, section 1893-C, subsection 3.'

**SUMMARY**

The amendment modifies the membership of the ATV Trail Advisory Council as follows:

1. It requires 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;

2. It reduces the number of members who represent municipal ATV Recreational Management Fund grantees from 3 to one;

3. It reduces the number of members who represent a statewide organization with an interest in operating ATVs from 2 to one;

4. It requires the business member to represent both ATV and snowmobile interests;

5. It requires the landowner member to represent large landowners with holdings of more than 250,000 acres;

6. It adds one member who represents a statewide environmental group;

7. It adds one member who represents a statewide farming organization;

8. It adds one member who represents woodlot owners' interests; and

9. It provides 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 changes the meeting dates for the council from August and February to April and September.

**R.O.S.**

COMMITTEE AMENDMENT "A" to H.P. 897, L.D. 1300

2 It establishes special duties for the council and requires  
the council to report its findings and recommendations regarding  
4 those duties to the Joint Standing Committee on Inland Fisheries  
and Wildlife by February 1, 2006.

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**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



# 122nd MAINE LEGISLATURE

LD 1300

LR 1278(02)

**An Act To Create the ATV Trail Advisory Council**

**Fiscal Note for Bill as Amended by Committee Amendment "A"**  
**Committee: Inland Fisheries and Wildlife**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund