

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 935 **An Act To Allow Hunters in Maine To Take 2 Deer per Year** **ONTP**

<u>Sponsor(s)</u> TUTTLE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 935 proposed to allow a person who had killed a deer during the regular deer hunting season to hunt and kill a 2nd deer with a muzzle-loading firearm during the muzzle-loading hunting season for deer. The 2nd deer would be a buck only.

LD 940 **An Act To Amend the Law Pertaining to All-terrain Vehicle Violations** **ONTP**

<u>Sponsor(s)</u> JOY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 940 proposed to make the following changes to the laws governing all-terrain vehicle, ATV, violations.

1. Under current law, the Commissioner of Inland Fisheries and Wildlife is required to suspend licenses and permits of a person convicted of certain ATV violations. This act proposed to eliminate the requirement of suspension and instead allow the commissioner to suspend the licenses and permits of such a person.
2. It proposed to eliminate operating an ATV on the land of another without permission as one of the ATV violations warranting suspension of licenses, permits and registrations.
3. It proposed to restructure language regarding the presumption of permission for the operation of ATVs on private land.

LD 942 **An Act To Prohibit Shooting Wild Turkey Decoys** **PUBLIC 94**

<u>Sponsor(s)</u> WOODCOCK		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-93
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LD 942 proposed to prohibit the shooting at or near wild turkey decoys with a firearm, a bow and arrow or a crossbow and to establish penalties for violations.

Committee Amendment "A" (S-93) proposed to replace the bill and remove the undefined term "wildfowl" and replace it with the defined term "migratory waterfowl." The amendment would include wild turkey decoys in the current law that prohibits shooting or shooting at wildfowl decoys or shooting within an area encompassed by wildfowl decoys. In current law this prohibition applies only to shooting with a firearm; this amendment would extend that prohibition to a bow and arrow and a crossbow.

Joint Standing Committee on Inland Fisheries and Wildlife

Enacted law summary

Public Law 2005, chapter 94 prohibits the shooting at or near wild turkey decoys with a firearm, a bow and arrow or a crossbow.

LD 953 **Resolve, To Make the Moose Hunting Season 2 Consecutive Weeks** **ONTP**

<u>Sponsor(s)</u> MOODY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 953 proposed to direct the Commissioner of Inland Fisheries and Wildlife to change the current system of alternating weeks of hunting moose to 2 consecutive weeks, which would follow the bear baiting season.

LD 976 **An Act To Enhance the Safety of Whitewater Rafters** **ONTP**

<u>Sponsor(s)</u> FLETCHER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 976 proposed to require the Commissioner of Inland Fisheries and Wildlife to adopt rules to require commercial whitewater outfitters to provide protective headgear to their clients and to enforce the use of the headgear.

LD 977 **An Act To Create a Civil Violation for Operating a Snowmobile Left of Center** **PUBLIC 73**

<u>Sponsor(s)</u> TRAHAN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-111
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LD 977 proposed to make operating a snowmobile to the left of center of a private or public way a civil violation for which a fine of \$100 must be adjudged.

Committee Amendment "A" (H-111) proposed to replace the bill and make operating a snowmobile to the left of the center of a trail when approaching or navigating a curve, corner, grade or hill a civil violation.

Enacted law summary

Public Law 2005, chapter 73 makes operating a snowmobile to the left of the center of a trail when approaching or navigating a curve, corner, grade or hill a civil violation.