

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

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.

Joint Standing Committee on Inland Fisheries and Wildlife

Enacted law summary

Resolve 2005, chapter 71 directs the Commissioner of Inland Fisheries and Wildlife to evaluate the feasibility of a moose hunt in southern Maine.

LD 1319 An Act To Ban the Use of Traps and Dogs in Bear Hunting ONTP

<u>Sponsor(s)</u> DUDLEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1319 proposed to prohibit the use of a dog to hunt or pursue bear and the use or setting of a trap to hunt or capture bear except under certain circumstances. The use of a dog or a trap would be permitted for certain scientific purposes or if it was undertaken by state or federal employees to kill or capture a specific animal that threatened livestock, domestic animals, threatened or endangered wildlife, property or public safety.

LD 1344 An Act To Promote Nonconsumptive Use of Maine's Fish and Wildlife Resources ONTP

<u>Sponsor(s)</u> EDER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1344 proposed to restructure the membership of the Inland Fisheries and Wildlife Advisory Council. The act proposed to reduce the members that represent the 16 counties from 10 to 5 and proposed to require that the remaining 5 members represent bird watchers, herpetologists, wildlife watchers, naturalists and botanists.

LD 1351 Resolve, Directing the Department of Inland Fisheries and Wildlife To Prepare an Implementation Plan for Recommendations That Were Based on a Review of the Department ONTP

<u>Sponsor(s)</u> WATSON BRYANT B		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1351 proposed to require the Department of Inland Fisheries and Wildlife to prepare a written response and an implementation plan for recommendations contained in a report prepared in June 2004 by the Management Assistance Team of the International Association of Fish and Wildlife Agencies based on a programmatic review of the department. This implementation plan would include a schedule and an assignment of responsibilities within the department. The department would submit a report describing the department's progress in implementing this plan to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters no later than the first Wednesday in December 2005 and every 2 years thereafter until the plan was implemented.