

## *Inland Fisheries and Wildlife*

**PUBLIC 1  
EMERGENCY**

**An Act To Give the Commissioner of Inland Fisheries and Wildlife  
the Authority To Allow the Operation of Snowmobiles Registered  
outside the State at Special Events Occurring in the State**

**LD 89**

Sponsor(s)  
MARTIN  
PARADIS

Committee Report

Amendments Adopted

Public Law 2005, chapter 1 provides that snowmobiles registered in another state or in a Canadian province may be operated without a Maine registration at a special event or festival organized to occur in this State if such operation is approved by the Commissioner of Inland Fisheries and Wildlife. It repeals the provision of law that allows the commissioner to designate one weekend a year as an open snowmobile weekend when snowmobiles registered outside the State may be used in the State without being registered in the State.

Public Law 2005, chapter 1 was enacted as an emergency measure effective January 18, 2005.

**PUBLIC 17**

**An Act To Redefine the Boundaries of the Fairfield Sanctuary**

**LD 144**

Sponsor(s)  
BRYANT B

Committee Report  
OTP

Amendments Adopted

Public Law 2005, chapter 17 redefines the area of land owned by Good Will-Hinckley that is designated as a wildlife sanctuary.

**PUBLIC 73**

**An Act To Create a Civil Violation for Operating a Snowmobile  
Left of Center**

**LD 977**

Sponsor(s)  
TRAHAN

Committee Report  
OTP-AM

Amendments Adopted  
H-111

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.

## *Inland Fisheries and Wildlife*

**PUBLIC 74**      **An Act To Authorize the Exchange of a Designated Hunting Season for Another Hunting Season for the Same Game Species**      **LD 612**

<u>Sponsor(s)</u> BRYANT M DIAMOND	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-112
--	-----------------------------------	------------------------------------

Public Law 2005, chapter 74 expands the opportunities a person has to exchange hunting areas and zones for a specific species by authorizing a person to also exchange hunting seasons for the same species. Under current law, a person assigned a designated hunting area or zone by the Department of Inland Fisheries and Wildlife for purposes of hunting a certain species may exchange that designated zone or area with another person assigned a different hunting zone or area for the same species.

**PUBLIC 75**      **An Act To Provide Free Antlerless Deer Permits to Persons 100 Years of Age or Older**      **LD 652**

<u>Sponsor(s)</u> DIAMOND BRYANT M	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-70
--	-----------------------------------	-----------------------------------

Public Law 2005, chapter 75 authorizes the Commissioner of Inland Fisheries and Wildlife to issue complimentary antlerless deer permits to residents 100 years of age or older.

**PUBLIC 81**      **An Act To Ban Remote-control Hunting**      **LD 50**

<u>Sponsor(s)</u> CARR CLUKEY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-110
-------------------------------------	-----------------------------------	------------------------------------

Public Law 2005, chapter 81 prohibits the owner or operator of a commercial shooting area or a commercial large game shooting area from using a website or a service that allows a person to hunt large game, wild animals or game birds that are located in this State through the use of a computer-controlled gun or shooting apparatus when the person using the website or service is physically removed from the immediate vicinity of the large game, wild animal or game bird.

# *Inland Fisheries and Wildlife*

**PUBLIC 93      An Act To Provide for Registration of Certain Snowmobile Trail-grooming Equipment**

**LD 231**

<u>Sponsor(s)</u> TRAHAN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-157
-----------------------------	--	-----------------------------------	--	------------------------------------

Public Law 2005, chapter 93 prohibits the use of snowmobile trail-grooming equipment on snowmobile trails unless that equipment is registered. It limits those eligible to register trail-grooming equipment to organizations that have an approved contract with the Department of Conservation or a person who can show proof of membership in such an organization. Public Law 2005, chapter 93 establishes a one-time registration fee of \$33 and provides that revenue from the registration of trail-grooming equipment be allocated in the same manner as revenue from snowmobile registrations. It also provides an exception to the registration requirement, under certain conditions, for landowners, commercial ski areas and federal, state and local governmental units.

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

**LD 942**

<u>Sponsor(s)</u> WOODCOCK		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-93
-------------------------------	--	-----------------------------------	--	-----------------------------------

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

**PUBLIC 96      An Act To Amend the Law Regarding Fishing Derbies**  
**EMERGENCY**

**LD 565**

<u>Sponsor(s)</u> PIOTTI WESTON		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-137
---------------------------------------	--	-----------------------------------	--	------------------------------------

Public Law 2005, chapter 96 establishes a derby fishing permit for educational institutions that wish to hold fishing derbies and award prizes in excess of \$10,000 for a single fishing derby. It provides a number of permit restrictions regarding how and when a derby may be conducted, form of prizes awarded and who may participate in such a derby.

Public Law 2005, chapter 96 was enacted as an emergency measure effective May 12, 2005.

## *Inland Fisheries and Wildlife*

**PUBLIC 117**      **An Act To Allow Electronic Calling Devices for Hunting Moose**      **LD 268**

<u>Sponsor(s)</u> PLOWMAN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-80
------------------------------	--	-----------------------------------	--	-----------------------------------

Public Law 2005, chapter 117 allows the use of electronic calling devices to hunt moose.

**PUBLIC 142**      **An Act To Provide For Special Antlerless Deer Permits to Certain Disabled Hunters**      **LD 759**

<u>Sponsor(s)</u> JACKSON PERRY J		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-225
---	--	-----------------------------------	--	------------------------------------

Public Law 2005, chapter 142 creates a special antlerless deer license for residents that allow a person with an ambulatory disability to take an antlerless deer in areas already open to antlerless deer hunting. It also provides that an eligible person must submit an application and provide verification of disability before being issued the permit.

**PUBLIC 143**      **An Act To Give 2 Moose Hunting Permits to Hunt of a Lifetime**      **LD 873**

<u>Sponsor(s)</u> JACKSON MARTIN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-226
--	--	-----------------------------------	--	------------------------------------

Public Law 2005, chapter 143 gives the Commissioner of Inland Fisheries and Wildlife the discretion to issue no more than 2 moose permits annually to a nonprofit group, such as Hunt of a Lifetime, dedicated to providing hunting and fishing experiences to children under 21 years of age with life-threatening or terminal illnesses. It provides that the nonprofit group must apply for the permit in writing and exempts a recipient from the requirement that a person be 10 years of age or older to obtain a hunting license.

**PUBLIC 177**      **An Act To Allow Certain Unregistered All-terrain Vehicles To**      **LD 431**  
**EMERGENCY**      **Participate in Special Events in the State**

<u>Sponsor(s)</u> LUNDEEN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-224
------------------------------	--	-----------------------------------	--	------------------------------------

Public Law 2005, chapter 177 exempts an all-terrain vehicle registered in another state or a province of Canada from the registration requirements of this State if that all-terrain vehicle is participating in a special event in Maine and the organizers of the special event have the prior approval of the Commissioner of Inland Fisheries and Wildlife.

## *Inland Fisheries and Wildlife*

Public Law 2005, chapter 177 was enacted as an emergency measure effective May 20, 2005.

**PUBLIC 180      An Act To Recognize and Protect the Native Eastern Brook Trout as Maine's Heritage Fish      LD 1131**

<u>Sponsor(s)</u> WOODCOCK	<u>Committee Report</u> OTP-AM    MAJ ONTP      MIN	<u>Amendments Adopted</u> S-143
-------------------------------	---	------------------------------------

Public Law 2005, chapter 180 recognizes the eastern brook trout as a Maine heritage fish and directs the Commissioner of Inland Fisheries and Wildlife to adopt by major substantive rule a list of lakes and ponds identified as native brook trout waters that have never been stocked. It authorizes the commissioner to add bodies of water to the initial list of native brook trout waters by routine technical rule if that body of water meets criteria established by the commissioner. It also provides that the commissioner may remove a lake or pond from the list by major substantive rule. Public Law 2005, chapter 180 prohibits the commissioner from stocking or issue a permit to stock fish in native brook trout waters and makes the use or possession of live bait fish on such a lake or pond a Class E crime.

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

<u>Sponsor(s)</u> MOODY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-287
----------------------------	-----------------------------------	------------------------------------

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.

**PUBLIC 237      An Act To Amend Laws Pertaining to Commercial Fishing and Baitfish      LD 723**

<u>Sponsor(s)</u> CEBRA	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-352
----------------------------	-----------------------------------	------------------------------------

Public Law 2005, chapter 237 affects Maine's smelt fishing laws as follows:

1. Provides restrictions on the size of a dip net that can be used to take smelts in certain areas;
2. Provides that a person who holds a valid Maine fishing license may take smelts for recreational purposes only in inland waters free or partially free of ice from noon to 2:00 a.m. with a dip net. It also provides that a licensee may keep only 5 dozen smelts of that person's bag limit alive and clarifies that the bag limit is for a 24-hour period;

## *Inland Fisheries and Wildlife*

3. Provides that from ice-in to ice-out, smelt wholesale dealers are prohibited from using baitfish traps and dip nets to take smelts, except a dip net can be used to assist in handling and transporting smelts;
4. Provides that in waters naturally free of ice, a smelt wholesale dealer may take smelts from noon to 2:00 a.m. by the use of a dip net and authorizes the Commissioner of Inland Fisheries and Wildlife to establish a daily bag limit by rule. A licensee may keep the daily bag limit alive and the daily bag limit is for a 24-hour period. The amendment restricts wholesale dealers to 2 quarts during this time period;
5. It authorizes the commissioner to shorten the noon to 2:00 a.m. smelt fishing timeframe by rule for enforcement or conservation purposes;
6. Prohibits smelt wholesale dealers from using food particles or any other type of bait or lure except artificial light for luring smelts into a drop net or lift net;
7. Amends the description of a smelt grader and gives the commissioner the authority to modify that description by rule for conservation or enforcement purposes;
8. Requires a person who holds a smelt wholesaler dealer license who fishes with a hook and line or a dip net to use a grader to size smelts caught by hook and line and dip net;
9. Removes the requirement that smelt wholesale dealers report dates they fished for smelts;
10. Changes the date that smelt wholesale dealers must report to the Department of Inland Fisheries and Wildlife from April 10th to May 31st annually and makes all data submitted in the report confidential, except the commissioner may release otherwise confidential information if it is released in a form that is statistical or general in nature; and
11. Gives the commissioner the discretion to prohibit a person from obtaining a smelt wholesale dealers license if that person fails to meet reporting requirements. Current law mandates that a person who fails to meet the reporting requirements is ineligible to obtain a smelt wholesale dealers license.

The bill as amended was reviewed and evaluated by the Joint Standing Committee on Judiciary pursuant to the Maine Revised Statutes, Title 1, section 434, which requires review and evaluation of new exceptions to laws governing public records.

## *Inland Fisheries and Wildlife*

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

<u>Sponsor(s)</u> ANNIS DAVIS P	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-433
---------------------------------------	-----------------------------------	------------------------------------

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.

**PUBLIC 419**      **An Act To Allow the Use of Crossbows for Hunting**      **LD 67**

<u>Sponsor(s)</u> MOODY	<u>Committee Report</u> OTP-AM    MAJ ONTP        MIN	<u>Amendments Adopted</u> H-152
----------------------------	---	------------------------------------

Public Law 2005, chapter 419 allows the use of crossbows to hunt bear and deer during the regular firearms season on those species but does not allow the use of crossbows to hunt deer during the expanded archery deer season or in the expanded archery zones or in the muzzle-loading-only deer season. It requires a person to complete both a crossbow and archery hunting education course to be eligible for a crossbow hunting license and sets a fee schedule for the license. Public Law 2005, chapter 419 directs the Commissioner of the Department of Inland Fisheries and Wildlife to establish a crossbow education course and to adopt rules regulating the use of crossbows that must include a prohibition against the use of pistol-type crossbows or crossbows with a draw weight of less than 100 pounds or more than 200 pounds. It also prohibits convicted felons from possessing a crossbow and takes effect January 1, 2006.

**PUBLIC 436**      **An Act To Improve the Process for Reporting Accidents Involving Off-road Vehicles**      **LD 1220**

<u>Sponsor(s)</u> SMITH N COWGER	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-288
--	-----------------------------------	------------------------------------

Public Law 2005, chapter 436 provides that an operator involved in a watercraft, snowmobile or ATV accident who intentionally, knowingly or recklessly fails to provide that operator's name, address and the registration number of that operator's recreational vehicle or fails to render reasonable aid to an injured person commits a Class C crime.

## *Inland Fisheries and Wildlife*

**PUBLIC 456      An Act To Establish the Maine-New Hampshire Cooperative Trails**

**LD 1688**

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

Public Law, chapter 456 designates 2 trails in Maine and New Hampshire as the Maine-New Hampshire Cooperative Trails and allows a snowmobile registered in either Maine or New Hampshire to be operated on the portion of those trails located in Maine. It requires the Commissioner of Inland Fisheries and Wildlife to adopt rules regarding the grooming and maintenance of the Maine-New Hampshire Cooperative Trails and payment or reimbursement for those services by users of the trails based on the average per mile cost of providing those services by Maine and New Hampshire. It requires the Director of the Off-Road Vehicle Division of the Bureau of Parks and Lands within the Department of Conservation to work with the director of New Hampshire's snowmobile program to develop and place signs clearly identifying the Maine-New Hampshire Cooperative Trails.

**RESOLVE 8      Resolve, Directing the Department of Inland Fisheries and Wildlife**  
**EMERGENCY    To Increase Turkey Hunting Opportunities**

**LD 1456**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT B BRYANT M	OTP-AM	S-76

Resolve 2005, chapter 8 directs the Department of Inland Fisheries and Wildlife to provide turkey hunting permits to all qualified persons who submitted timely applications for permits for the 2005 spring turkey hunting season.

Public Law 2005, chapter 8 was enacted as an emergency measure effective April 15, 2005.

**RESOLVE 50      Resolve, Preventing the Upstream Migration of Exotic Species past**  
**the Fish River Falls and into the Fish River Watershed**

**LD 1477**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN JACKSON	OTP-AM	S-169

Resolve 2005, chapter 50 directs the Commissioner of Inland Fisheries and Wildlife to implement a program when money from non-General Fund sources is available, to prevent the upstream migration of exotic species past the Fish River Falls and into the Fish River watershed in Aroostook County.

## *Inland Fisheries and Wildlife*

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

<u>Sponsor(s)</u> TUTTLE BRYANT B	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-450
---	-----------------------------------	------------------------------------

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

**RESOLVE 75**      **Resolve, To Address the Unauthorized Publication of Information Concerning Recreational Trails That Cross Private Property**      **LD 1519**

<u>Sponsor(s)</u> DUPLESSIE BRYANT B	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-460
--	-----------------------------------	------------------------------------

Resolve 2005, chapter 75 requires the Department of Inland Fisheries and Wildlife and the Department of Conservation to work with the Executive Department, State Planning Office, landowners and other interested parties to develop and implement a program that ensures that publications regarding recreational trails that cross private property are authorized by the affected landowner, notifies readers that the trail crosses private property and encourages trail users to be respectful of private property. It also requires the Department of Inland Fisheries and Wildlife and the Department of Conservation to jointly report to the Joint Standing Committee on Inland Fisheries and Wildlife regarding the program and its implementation by no later than January 2, 2006.

**RESOLVE 80**      **Resolve, Directing the Department of Inland Fisheries and Wildlife To Study the Feasibility of Establishing a Program To Assess Riverine Habitats in Maine**      **LD 1648**

<u>Sponsor(s)</u> TRAHAN BRYANT B	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-483
---	-----------------------------------	------------------------------------

Resolve 2005, chapter 80 directs the Department of Inland Fisheries and Wildlife to determine the scope, structure, activities and costs of a program to assess habitats provided by rivers and streams in Maine and report its findings to the Legislature by January 2, 2006.