

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

SECOND REGULAR SESSION-1998

Legislative Document

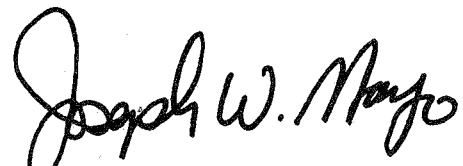
No. 2293

H.P. 1670

House of Representatives, March 27, 1998

**An Act to Implement the Recommendations of the Joint Standing
Committee on Inland Fisheries and Wildlife Pursuant to Their Review
under the Government Evaluation Act.**

Reported by Representative PAUL for the Joint Standing Committee on Inland Fisheries
and Wildlife pursuant to the Maine Revised Statutes, Title 3, section 955, subsection 4.


JOSEPH W. MAYO, Clerk

Be it enacted by the People of the State of Maine as follows:

2
4 **Sec. 1. 12 MRSA §7035, sub-§18** is enacted to read:

6 18. "Hooked on Fishing Not on Drugs" program. The "Hooked
on Fishing Not on Drugs" program is established in the department
to encourage youth fishing activities in the State. The
commissioner may accept money, goods or services donated to the
department for the "Hooked on Fishing Not on Drugs" program.
Money, goods and services accepted by the commissioner under this
subsection may be used only for those program activities.

12 **Sec. 2. 12 MRSA §7377, sub-§9** is enacted to read:

14 9. Fishing during an event sanctioned by the department.
Notwithstanding section 7371, as it applies to subchapter IV, a
person who does not hold a fishing license may assist a child or
a handicapped person who is a participant in a fishing event
sanctioned by the department.

20 **Sec. 3. 12 MRSA §7406, sub-§8**, as amended by PL 1981, c. 644,
22 §§16 to 18, is repealed.

24 **Sec. 4. 12 MRSA §7406, sub-§9**, as enacted by PL 1979, c. 420,
26 §1, is repealed.

28 **Sec. 5. 12 MRSA §7406, sub-§§9-A and 9-B** are enacted to read:

30 9-A. Shooting from or having a loaded firearm in or on a
motor vehicle. Except as provided in subsection 20, paragraph A,
a person is guilty of shooting from or having a loaded firearm in
or on a motor vehicle if that person:

34 A. Shoots while in or on a motor vehicle or while in or on
a trailer or other type of vehicle being hauled by a motor
vehicle; or

38 B. While in a motor vehicle or in or on a trailer or other
type of vehicle being hauled by a motor vehicle, has any
firearm with a cartridge or shell in the chamber or in an
attached magazine, clip or cylinder or a muzzle-loading
firearm charged with powder, lead and a primed-ignition
device or mechanism.

44 9-B. Intentionally killing, injuring or molesting a wild
animal or wild bird with motor vehicle, motorboat or aircraft. A
person is guilty of intentionally killing, injuring or molesting
a wild animal or wild bird with a motor vehicle, motorboat or
aircraft if that person intentionally kills, injures

2 or molests a wild animal or wild bird with any motor vehicle,
3 motorboat or aircraft.

4 **Sec. 6. 12 MRSA §7652, sub-§4** is enacted to read:

6 **4. The Public Boat Launch Access Program.** The Public Boat
7 Launch Access Program, referred to in this subsection as the
8 "program," is established in the department. The purpose of the
9 program is to provide anglers, boaters and other persons fair and
10 equitable public access to public waters that offer recreational
11 fishing opportunities by acquiring lands adjacent to those waters
12 and providing appropriate opportunities to access those waters.
13 The commissioner may establish program priorities based on
14 fishery management or other resource management objectives and
15 may use for these purposes any funds received through federal
16 programs intended to aid in the restoration of sport fishing and
17 other revenues available for providing access to public waters.

18 **Sec. 7. 12 MRSA §7827, sub-§22, ¶A,** as amended by PL 1989, c.
19 913, Pt. A, §15, is further amended to read:

22 A. Is the operator of any snowmobile involved in any
23 accident resulting in injuries requiring the services of a
24 physician, in death of any person or in property damage to
25 the estimated amount of \$300 ~~\$1,000~~ or more; some person
26 acting for such an operator; or the owner of the involved
27 snowmobile having knowledge of the accident, should the
28 operator of the snowmobile be unknown; and

30 **Sec. 8. PL 1997, c. 24, Pt. I, §13** is amended to read:

32 **Sec. I-13. Salary savings for the 1998-1999 biennium.** The
33 Commissioner of Inland Fisheries and Wildlife shall achieve at
34 least ~~\$240,000~~ \$480,000 in savings ~~in each fiscal year~~ in during
35 the biennium ending June 30, 1999 in the General Fund personal
36 services by means that include postponing the hiring of positions
37 in the department that are or that become vacant in the
38 department during that biennium. Positions to be held vacant to
39 achieve the purposes of this section must be selected by the
40 commissioner. The commissioner shall submit a written report
41 each month to each member of the joint standing committee of the
42 Legislature having jurisdiction over inland fisheries and
43 wildlife matters, including the period during which the
44 Legislature is not convened, detailing the positions affected by
45 this section and the personal services salary savings achieved
46 during the previous month and cumulative personal services salary
47 savings for that fiscal year.

48 **Sec. 9. Transfer of funds.** The Department of Inland Fisheries
49 and Wildlife is authorized to transfer \$70,000 from the

2 savings fund established in the Maine Revised Statutes, Title 12,
3 section 7910, subsection 14 to the Division of Public Information
4 and Education in that department as all other funds to be used
5 for advertisements in regional outdoor publications,
6 participation in additional sporting shows, television
7 advertising, direct mailings, national advertisement of
8 supersport opportunities and other marketing activities that
9 promote fishing and hunting opportunities in Maine.

10 **Sec. 10. Allocation.** The following funds are allocated from
11 Other Special Revenue to carry out the purposes of this Act.

12 **1998-99**

13

14 **INLAND FISHERIES AND WILDLIFE,**
15 **DEPARTMENT OF**

16 **Public Information and Education -**
17 **Inland Fisheries and Wildlife**

18

19	Personal Services	\$2,000
20	All Other	10,000
21		
22		
23		
24	TOTAL	\$12,000

25 Provides funds to establish a base
26 allocation for the "Hooked on Fishing Not on
27 Drugs" program.

28

29 **FISCAL NOTE**

30

31 **1998-99**

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33 **APPROPRIATIONS/ALLOCATIONS**

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35	Other Funds	\$12,000
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36

37 **REVENUES**

38

39	Other Funds	\$12,000
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41 Authorizing the Department of Inland Fisheries and Wildlife
42 to accept and expend funds for the "Hooked on Fishing Not on
43 Drugs" program will require an additional annual Other Special
44 Revenue allocation of \$12,000 beginning in fiscal year 1998-99 to
45 authorize expenditures of revenue collected for the program.
46 Although there is not a statutorily established revenue source,
47 the department estimates that \$12,000 will be collected from
48
49
50

2 various sources on an annual basis to provide revenues for the
3 program.

4 The transfer of \$70,000 from the Savings Fund program to the
5 Division of Public Information and Education will reduce the
6 balance of the Savings Fund and increase the General Fund
7 expenditures by the division for certain promotional activities.
8

10 SUMMARY

12 This bill is the majority report of the Joint Standing
13 Committee on Inland Fisheries and Wildlife pursuant to its review
14 of the Department of Inland Fisheries and Wildlife under the
15 State Government Evaluation Act.

16 The bill establishes a "Hooked on Fishing Not on Drugs"
17 program in the Department of Inland Fisheries and Wildlife and
18 authorizes the Commissioner of Inland Fisheries and Wildlife to
19 accept money, goods or services for the program. The bill also
20 allows the department to sanction private fishing events and
21 allows a person who does not hold a fishing license to assist a
22 child or handicapped person participating in those events.
23

24 The bill also clarifies the laws pertaining to shooting from
25 a motor vehicle.

26 The bill also establishes the Public Boat Launch Access
27 Program in the department to provide fair and equitable access to
28 public waters by acquiring waterfront property and providing
29 appropriate access to those waters.
30

31 The bill also increases from \$300 to \$1,000 the property
32 damage amount that triggers a reportable accident under the
33 snowmobile laws, requires that the department achieve \$480,000 in
34 salary savings over the biennium rather than \$240,000 in each
35 fiscal year and authorizes the transfer of \$70,000 from the
36 department's savings fund to the all other accounts of the
37 Division of Public Information and Education for marketing
38 purposes.
39
40