

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST SPECIAL SESSION

August 26, 2019

SECOND REGULAR SESSION

January 8, 2020 to March 17, 2020

**THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION**

NON-EMERGENCY LAWS IS

NOVEMBER 25, 2019

**THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION**

NON-EMERGENCY LAWS IS

JUNE 16, 2020

**PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.**

**Augusta, Maine
2020**

**CHAPTER 661
H.P. 1462 - L.D. 2058**

**An Act To Strengthen
Protections for Incapacitated
and Dependent Adults from
Abuse, Neglect and
Exploitation**

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

Sec. 1. 22 MRSA §3473, sub-§2, ¶B, as amended by PL 2003, c. 653, §4, is further amended to read:

B. Take appropriate action, including providing or arranging for the provision of appropriate services and making referrals to law enforcement; ~~and~~

Sec. 2. 22 MRSA §3473, sub-§2, ¶C, as amended by PL 2017, c. 402, Pt. C, §54 and PL 2019, c. 417, Pt. B, §14, is further amended to read:

C. Petition for guardianship or a protective order under Title 18-C, Article 5, when all less restrictive alternatives have been tried and have failed to protect the incapacitated adult; ~~and~~

Sec. 3. 22 MRSA §3473, sub-§2, ¶D is enacted to read:

D. Establish and maintain an adult protective services registry of persons for whom there have been substantiated reports of abuse, neglect or exploitation of dependent adults or incapacitated adults. The department shall adopt routine technical rules to implement this paragraph pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 4. 34-B MRSA §5604-A, sub-§2, as amended by PL 2011, c. 542, Pt. A, §128, is further amended to read:

2. Maintain reporting system. The department shall maintain a reportable event and adult protective services system that provides for receiving reports of alleged incidents, prioritizing such reports, assigning reports for investigation by qualified investigators, reviewing the adequacy of the investigations, making recommendations for preventive and corrective actions as appropriate and substantiating allegations ~~against individuals who have been found under the Adult Protective Services Act to have abused, neglected or exploited persons with intellectual disabilities or autism of abuse, neglect or exploitation in accordance with Title 22, chapter 958-A.~~ The department shall fully establish the reportable event and adult protective services system through rulemaking.

See title page for effective date.

**CHAPTER 662
H.P. 1467 - L.D. 2065**

**An Act To Address Decibel
Level Limits for Airboats**

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

Sec. 1. 12 MRSA §13068-A, sub-§10, ¶A, as enacted by PL 2003, c. 655, Pt. B, §380 and affected by §422, is amended to read:

A. A person may not operate a motorboat in such a manner as to exceed:

- (1) A noise level of 90 decibels when subjected to a stationary sound level test with and without cutouts engaged and as prescribed by the commissioner; or
- (2) A noise level of 75 decibels when subjected to an operational test measured with and without cutouts engaged and as prescribed by the commissioner.

As used in this paragraph, "motorboat" does not include an "airboat," which has the same meaning as in paragraph A-1.

Sec. 2. 12 MRSA §13068-A, sub-§10, ¶A-1 is enacted to read:

A-1. A person may not operate an airboat in such a manner as to exceed noise level limits established by the commissioner by rule. Rules adopted under this paragraph are routine technical rules as described in Title 5, chapter 375, subchapter 2-A. For purposes of this paragraph, "airboat" means a flat-bottomed watercraft propelled by an aircraft-type propeller and powered by either an aircraft engine or an automotive engine.

Sec. 3. Collection of information. The Department of Inland Fisheries and Wildlife and the Department of Marine Resources jointly shall solicit and collect information regarding airboats, including, but not limited to, information regarding uses of airboats, noise levels and complaints and suggestions for reducing complaints regarding the use of airboats, from interested parties, including, but not limited to, harbor masters, town clerks and residents of coastal towns and airboat users and sellers. Based on the suggestions, the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Marine Resources may jointly submit recommended legislation to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters by February 1, 2021. The joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters may report out legislation to the First Regular Session of the 130th Legislature to implement the recommendations. As used in this section, "airboat" means a flat-bottomed