

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
119TH LEGISLATURE**

**FIRST REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
INLAND FISHERIES AND WILDLIFE**

**JULY 1999**

***MEMBERS:***

***Sen. Marge L. Kilkelly, Chair***

***Sen. Richard P. Ruhlin***

***Sen. R. Leo Kieffer***

***Rep. Matthew Dunlap, Chair***

***Rep. Richard H. C. Tracy***

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***Rep. Kenneth A. Honey***

***Rep. A. David Trahan***

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**ONE HUNDRED NINETEENTH LEGISLATURE**  
**FIRST REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing and Select Committees**  
**August 1999**

We are pleased to provide this summary of all bills that were considered by the Joint Standing and 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 and select 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. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located 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](http://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  
*ENACTMENT FAILED*..... Bill failed to get vote required for enactment or final passage  
*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 September 18, 1999.

LD 618

**An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law**

**PUBLIC 16  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TOWNSEND MICHAUD		

LD 618 proposed a Part I budget for the State It was referred to the Joint Standing Committee on Appropriations and Financial Affairs. Part G of the Part I budget (enacted as P. L. 1999, chapter 16) included the following changes affecting the Department of Inland Fisheries and Wildlife:

1. It continued the expanded archery deer hunting season. The expanded archery season was enacted in 1997 on a “trial” basis for a two year period, with a sunset date of April 1, 1999.
2. Changed the expanded archery season to the period between the first Saturday after Labor day and December 15.
3. Eliminated the volunteer coordinator position and uses funds allocated to the this position in conjunction with revenue from expanded archery season to create a full time Youth Activities Coordinator position and a part time volunteer coordinator position. The Youth Activities Coordinator position includes oversight responsibilities for the “Hooked on Fishing, not on Drugs” program, a preventative program aimed at children, designed to promote fishing and positive decision making skills for children and their families.
4. Appropriated \$25,000 per year to support a clerk typist position to further establish positive relations between hunters and landowners.
5. Appropriated \$125,000 per year to support an Information and Education program to promote public awareness on effective wildlife management in the state.

**LD 662**

**An Act to Amend Maine's Boating Laws Pertaining to Noise Limits on Watercraft**

**PUBLIC 436**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY DUNLAP	OTP-AM	S-250

LD 662 proposed to adopt the model act for motor boat noise testing procedures developed by the National Association of Boating Law Administrators. This bill proposed to amend the noise limits in order to comply with limits set for 2 testing methods to be used by the Department of Inland Fisheries and Wildlife, one stationary test and one operational test. This bill was submitted on behalf of the Department of Inland Fisheries and Wildlife.

**Committee Amendment "A" (S-250)** proposed to authorize the transfer of \$6,000 in fiscal year 1999-00 from the Carrying Balance Account program within the Department of Inland Fisheries and Wildlife for the purchase of 5 noise meters.

***Enacted law summary***

Public Law 1999, chapter 436 adopts the model act for motor boat noise testing procedures developed by the National Association of Boating Law Administrators. This law amends the noise limits in order to comply with limits set for 2

testing methods to be used by the Department of Inland Fisheries and Wildlife, one stationary test and one operational test. The law authorizes the transfer of \$6,000 in fiscal year 1999-00 from the Carrying Balance Account program within the Department of Inland Fisheries and Wildlife for the purchase of 5 noise meters.

**LD 663**

**An Act to Clarify the Powers of Game Wardens When Stopping Motor Vehicles**

**PUBLIC 317**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY DUNLAP	OTP-AM	S-251

LD 663 proposed to give game wardens the same authority to stop motor vehicles as is allowed other law enforcement officers. The current statute limits the authority of game wardens to stop motor vehicles by requiring wardens to articulate that a violation of fish and game laws has occurred prior to stopping a vehicle. This bill was submitted on behalf of the Department of Inland Fisheries and Wildlife.

**Committee Amendment "A" (S-251)** proposed to replace the bill and make it an emergency. The amendment proposed to allow a game warden to stop a motor vehicle when necessary to protect a person from the threat of death or personal injury. That new authority would be repealed 90 days after adjournment of the Second Regular Session of the 119th Legislature. The amendment also proposed to clarify the authority of a warden to request information from an operator of a motor vehicle.

***Enacted law summary***

Public Law 1999, chapter 317 allows a game warden to stop a motor vehicle when necessary to protect a person from the threat of death or personal injury. That new authority is repealed 90 days after adjournment of the Second Regular Session of the 119th Legislature. The law also clarifies the authority of a warden to request information from an operator of a motor vehicle.

Chapter 317 was enacted as an emergency measure effective May 25, 1999.

**LD 667**

**An Act to Allow the Commissioner of Inland Fisheries and Wildlife to Determine the Number of Moose Permits to Be Awarded**

**PUBLIC 402  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KIEFFER CLARK	OTP-AM	S-313

LD 667 proposed that in the year 2000 and in each year thereafter the number of moose permits awarded will be determined annually by the Commissioner of Inland Fisheries and Wildlife.

**Committee Amendment "A" (S-313)** proposed to replace the bill. It proposed to make an additional 1,000 moose permits available for 1999 and 2000. It proposed that these permits would be drawn at a bonus chance lottery held after the regularly scheduled lottery. It proposed to allow anyone who has applied for a moose permit in 1999 and 2000 who is not selected in the regular drawing to automatically be entered into the bonus chance lottery. It proposed to allow half