

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Inland Fisheries and Wildlife*

*July 2003*

**Staff:**

*Curtis C. Bentley, Legislative Analyst  
Jon Clark, Senior Analyst*

*Office of Policy and Legal Analysis  
13 State House Station  
Augusta, ME 04333  
(207) 287-1670*

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Sen. David L. Carpenter  
Sen. Richard Kneeland*

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# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First Regular Session

#### Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 arranged alphabetically by committee name 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:

<i>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> Regular Session</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PASSED</i> .....	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

**David C. Elliott, Director**  
Offices located in Room 215 of the Cross Office Building

*Joint Standing Committee on Inland Fisheries and Wildlife*

**LD 1280**

**An Act To Improve Boating in Maine**

**PUBLIC 277**

<u>Sponsor(s)</u> BENNETT R		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1280 proposed to require airmobiles and motorboats to pass noise limit tests with cutouts engaged and disengaged and to set a minimum of a \$300 fine for exceeding noise limits. It proposed to exempt those vessels from the noise limits while the vessels were engaged in an organized racing event that was sanctioned by a recognized racing organization and registered with the Commissioner of Inland Fisheries and Wildlife. The bill also proposed to prohibit the discharge of septic fluids into the inland waters of the State.

*Enacted Law Summary*

Public Law 2003, chapter 277 requires airmobiles and motorboats to pass noise limit tests with cutouts engaged and disengaged and sets a minimum of a \$300 fine for exceeding noise limits. It also exempts those vessels from the noise limits while the vessels are engaged in an organized racing event that is sanctioned by a recognized racing organization and registered with the Commissioner of Inland Fisheries and Wildlife. The bill also clarifies that the discharge of septic fluids into the inland waters of the State is illegal.

**LD 1358**

**Resolve, To Reestablish the Commission To Study the Needs and Opportunities Associated with the Production of Salmonid Sport Fish in Maine**

**RESOLVE 89  
EMERGENCY**

<u>Sponsor(s)</u> BRYANT CLARK		<u>Committee Report</u>		<u>Amendments Adopted</u> H-97 DUNLAP S-271 BRYANT
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LD 1358 proposed to reestablish the Commission to Study the Needs and Opportunities Associated with the Production of Salmonid Sport Fish in Maine.

**House Amendment "A" (H-97)** proposed to alter the membership of the commission reestablished in the resolve and limits the commission's duties to providing assistance in the expenditure of the funds authorized under Private and Special Law 2001, chapter 71 for the renovations and enhancement of wastewater treatment at the Department of Inland Fisheries and Wildlife's fish-rearing facilities. This amendment also proposed to remove the requirement that the commission report back to the Legislature and to add an appropriation and allocation section.

**Senate Amendment "A" to House Amendment "A" (S-262)** proposed to authorize the commission to hold up to 2 meetings and to direct the Department of Inland Fisheries and Wildlife, rather than the Office of Policy and Legal Analysis, to staff the commission. It proposed to remove language that directed the Commissioner of Inland Fisheries and Wildlife to use funds in the fish hatchery maintenance fund to reimburse costs associated with the per diem and expenses of commission members. Additionally, the amendment proposed to reduce the appropriation. (Not adopted)

**Senate Amendment "B" to House Amendment "A" (S-271)** proposed to authorize the commission to hold up to 2 meetings and to remove language that directed the Commissioner of Inland Fisheries and Wildlife to use funds in

## *Joint Standing Committee on Inland Fisheries and Wildlife*

the fish hatchery maintenance fund to reimburse costs associated with the per diem and expenses of commission members. The amendment also proposed to reduce the appropriation.

### ***Enacted Law Summary***

Resolve 2003, chapter 89 reestablishes the Commission to Study the Needs and Opportunities Associated with the Production of Salmonid Sport Fish in Maine. It authorizes the commission to hold up to 2 meetings and limits the commission's duties to providing assistance in the expenditure of the funds authorized under Private and Special Law 2001, chapter 71 for the renovations and enhancement of wastewater treatment at the Department of Inland Fisheries and Wildlife's fish-rearing facilities.

Resolve 2003, chapter 89 was passed as an emergency measure effective June 23, 2003.

**LD 1366                      An Act To Ensure Boating Safety                      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE BRENNAN	ONTP	

LD 1366 proposed to require a boating safety course approved by the Commissioner of Inland Fisheries and Wildlife for any children's summer camp or recreation program personnel who would be operating a motorboat carrying a child or children. The bill proposed to require the commissioner to adopt rules requiring motorboats to be equipped with horns or other sound-making devices, establishing reduced speed zones near children's summer camps and establishing a training program for volunteer boating safety instructors. The bill also proposed to establish a 7-member Boating Safety Study Group to review issues surrounding boating safety on the State's inland waters.

**LD 1426                      An Act To Give Moose Permits to Members of the Wesget-Sipu Organization                      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	ONTP	

LD 1426 proposed to require the Commissioner of Inland Fisheries and Wildlife to issue a moose permit to every member of the Wesget-Sipu organization.