

MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
MARINE RESOURCES

JULY 1997

MEMBERS:

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Sen. Bruce W. MacKinnon

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. 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 handled by the joint standing committees. It is organized alphabetically 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).

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</i>	<i>Bill carried over to Second 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 & 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>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>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</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 the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINKHAM W MACKINNON	OTP-AM MAJ ONTP MIN	H-85

LD 506 would have permitted the Commissioner of Marine Resources to close waters to Maine registered vessels out to 200 miles from Maine’s coast.

Committee Amendment "A" (H-85) proposed to replace the bill. It proposed to authorize the Commissioner of Marine Resources to close federal waters to the harvesting of marine organisms when the commissioner determined the organisms could become contaminated or polluted. The closures of federal waters could only be accomplished in accordance with authority granted through application of federal rules and regulations.

Enacted law summary

Public Law 1997, chapter 93 authorizes the Commissioner of Marine Resources to close federal waters to the harvesting of marine organisms when the commissioner determines the organisms could become contaminated or polluted. The closures of federal waters may only be accomplished in accordance with authority granted through application of federal rules and regulations.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ETNIER MACKINNON	OTP-AM	H-233

LD 507 proposed to extend the termination date for the surcharges on the sea urchin licenses and extend the termination date for the sea urchin research fund.

Committee Amendment "A" (H-233) proposed to authorize the Commissioner of Marine Resources to designate up to 150 days in sea urchin zone 1 and up to 170 days in sea urchin zone 2 as open days for the harvesting of sea urchins by hand, trap or rake. Under current law, the commissioner is required to designate 150 days in zone 1 and 170 days in zone 2. The amendment also proposed to require the commissioner to consult with the Sea Urchin Zone Council before deciding upon research projects and grants funded by the Sea Urchin Research Fund. The amendment also proposed to require the commissioner to use the fund for communicating research results and uses of fund revenues to licensed sea urchin harvesters, boat tenders, processors and buyers. In addition, the amendment proposed to make authorized zone changes for harvesters effective as of the start of the sea urchin season.

Enacted law summary

Public Law 1997, chapter 177 extends the termination date for the surcharges on the sea urchin licenses and extends the termination date for the sea urchin research fund. It authorizes the Commissioner of Marine Resources to designate up to 150 days in sea urchin zone 1 and up to 170 days in sea urchin zone 2 as open days for the

harvesting of sea urchins by hand, trap or rake. Under current law, the commissioner is required to designate 150 days in zone 1 and 170 days in zone 2. The public law also requires the commissioner to consult with the Sea Urchin Zone Council before deciding upon research projects and grants funded by the Sea Urchin Research Fund. It also requires the commissioner to use the fund for communicating research results and uses of fund revenues to licensed sea urchin harvesters, boat tenders, processors and buyers. In addition, it makes authorized zone changes for harvesters effective as of the start of the sea urchin season. The law is effective on May 15, 1997.

LD 524 An Act to Modify the Process for Aquaculture Leases ONTP

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

LD 524 proposed a process for arbitration of decisions by the Commissioner of Marine Resources regarding the granting of aquaculture leases.

LD 528 An Act Concerning Elver Fishing and Dip Nets ONTP

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

LD 528 proposed to limit the method of elver harvesting to dip nets.

LD 540 An Act to Correct Certain Errors and Inconsistencies in Marine Resources Laws PUBLIC 19

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ETNIER GOLDTHWAIT	OTP MAJ ONTP MIN	

LD 540 proposed to correct an outdated reference to the cost of lobster and crab fishing licenses.

It proposed to remove sea urchins from the definition of "fish" as it applies to a commercial fishing license because sea urchins are licensed through a specific sea urchin license.

It proposed to make certain laws limiting lobster harvesting apply to registered Maine vessels no matter where those vessels fish.

It also proposed to provide that the holder of a sea urchin and scallop tender license may possess, sell, transport and ship only sea urchins and scallops that were harvested by harvesters for whom the license holder has tended.

Enacted law summary