

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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Maine State Legislature

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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:

- 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*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT*.....*Bill imposing local mandate failed to get 2/3 vote*
- 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 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>
ETNIER BUTLAND	OTP-AM	H-194

LD 786 proposed to require transportation routes associated with dredging operations be approved by the Commissioner of Marine Resources. It proposed to prohibit dredging from April 1st to October 31st, unless an exception is granted by the Commissioner of Marine Resources. It proposed to authorize the Commissioner of Marine Resources to require dredging transportation routes be clearly marked. It also proposed to authorize the Commissioner of Marine Resources to require a dredge operator to publish in a newspaper the dredge spoils transportation route and the process a person can pursue to seek compensation for lost or damaged fishing gear caused by dredging-related activities outside of marked areas.

Committee Amendment "A" (H-194) proposed to require that the Commissioner of Marine Resources provide the Department of Environmental Protection with an assessment of the impacts of a proposed dredging operation on the fishing industry. It also proposed to require that a person granted a dredging permit clearly mark or designate the dredging area, the spoils disposal route and the transportation route; publish in a newspaper of general circulation in the area adjacent to the route the approved transportation route of the dredge spoils; and publish in a newspaper of general circulation in the area adjacent to the route a procedure that the applicant will use to respond to inquiries regarding the loss of fishing gear during the dredging operation.

Enacted law summary

Public Law 1997, chapter 164 requires that the Commissioner of Marine Resources provide the Department of Environmental Protection with an assessment of the impacts of a proposed dredging operation on the fishing industry. It also requires that a person granted a dredging permit clearly mark or designate the dredging area, the spoils disposal route and the transportation route; publish in a newspaper of general circulation in the area adjacent to the route the approved transportation route of the dredge spoils; and publish in a newspaper of general circulation in the area adjacent to the route a procedure that the applicant will use to respond to inquiries regarding the loss of fishing gear during the dredging operation.

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

LD 847 proposed that limited entry sea urchin harvesters hold either a handfishing license or a dragging license. It would have prohibited a sea urchin harvester from holding both licenses in one calendar year unless that harvester held both licenses in 1993. The limited entry provisions of the sea urchin laws began with the 1994 calendar year.