

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
118TH LEGISLATURE

SECOND REGULAR SESSION
AND
SECOND SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
MARINE RESOURCES

MAY 1998

MEMBERS:

Sen. Jill M. Goldthwait, Chair

Sen. Peggy A. Pendleton

Sen. Bruce W. MacKinnon

Rep. David Etnier, Chair

Rep. Paul Volenik

Rep. Martha A. Bagley

Rep. Albion D. Goodwin

Rep. Wendy Pieh

Rep. William D. Pinkham

Rep. James D. Layton

Rep. Royce W. Perkins

Rep. Kenneth A. Honey

Rep. Reginald G. Pinkham

Rep. Frederick J. Moore, III

Staff:

John G. Kelley, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101/107/135, 13 State House Station
Augusta, ME 04333
(207)287-1670*



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
 Telephone: (207) 287-1670
 Fax: (207) 287-1275

ONE HUNDRED EIGHTEENTH LEGISLATURE
SECOND REGULAR AND SECOND SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
May 1998

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. 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 handled by the joint standing 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).

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:

- 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 Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

<u>Sponsor(s)</u> GOLDTHWAIT ETNIER	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
-------------------------------------------	--------------------------------	---------------------------

LD 2011 proposed to clarify that terms on the Department of Marine Resources Lobster Advisory Council of members representing lobster management policy councils are coterminous with their terms on the policy council.

The bill also proposed to clarify eligible activities under the scallop boat license.

Enacted law summary

Public Law 1997, chapter 572 clarifies that terms on the Department of Marine Resources Lobster Advisory Council of members representing lobster management policy councils are coterminous with their terms on the policy council. It also clarifies eligible activities under the scallop boat license.

<u>Sponsor(s)</u> GOLDTHWAIT ETNIER	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-454
-------------------------------------------	-----------------------------------	------------------------------------

LD 2014 proposed the following changes to the laws regarding elver fishing:

1. That the excluder panel required in the elver fyke net may have a mesh that is smaller than 1/2 inch bar mesh.
2. Further define the term "fyke net" to mean a net that consists of not more than one funnel end, one cod end and 2 wings.
3. Specify that an elver trap tag must be affixed to the net at the shoreside wing and be clearly visible.
4. Add an additional closed period to the weekly fishery closure.
5. Amend the laws regarding where it is unlawful to use an elver dip net.
6. Restore the provision that the time of measurement of the middle 1/3 of a stream for purposes of placement of elver nets is at high tide. The bill also proposed to make it unlawful to obstruct more than 1/3 of the width of any river, stream, brook or other watercourse at mean low tide.

Committee Amendment "A" (S-454) proposed to change the definition of an elver fyke net to include that an elver fyke net may not have more than one funnel end, one cod end and 2 wings. It also proposed to make the prohibition on setting nets in the middle of a watercourse apply any time as measured at high tide. In addition, it proposed to