

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
MARINE RESOURCES**

JULY 1999

MEMBERS:

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Sen. Peggy A. Pendleton
Sen. Bruce W. MacKinnon*

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Staff:

Amy B. Holland, 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 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).

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.

<u>Sponsor(s)</u> TRAHAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 962 proposed to prohibit the dragging for scallops on the Medomak River from April 1st to December 31st of each year.

<u>Sponsor(s)</u> TRAHAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 974 proposed to establish limits on the purchase of elver fishing licenses. It proposed to prohibit a person from purchasing an elver fishing license unless that person held a license to harvest elvers in 1996, 1997 and 1998. The eligibility requirements would apply to a person who had already purchased a license for the 1999 elver fishing season.

The bill also proposed to set a \$100 fee for each elver fyke net, Sheldon eel trap or dip net that is utilized in addition to the one net or trap that is authorized with the purchase of an elver fishing license.

The bill proposed to allow the Commissioner of Marine Resources to establish days that are closed to elver fishing. It proposed to require the commissioner to use the lunar tide schedule when the commissioner determines those days.

The bill proposed to limit the number of elver fyke nets and Sheldon eel traps that a person may use to the average number of elver fyke nets or Sheldon eel traps that person utilized during the past three elver fishing seasons in which that person participated. It proposed to prohibit a person from using a dip net to harvest elvers, unless that person utilized a dip net in one of the last three elver fishing seasons for which that person held a license, or that person forfeits one elver fyke net or Sheldon eel trap for each dip net used from the average number of elver fyke nets or Sheldon eel traps that person utilized during the past three elver fishing seasons in which that person participated.

The bill proposed to establish two elver fishing zones in the State. Zone 1 would include all coastal waters west of a line that runs approximately down the middle of the Penobscot Bay. The elver fishing season in Zone 1 would be from noon on March 15th to May 31st. Zone 2 would include all coastal waters east of the line. The elver fishing season in Zone 2 would be from noon on April 1st to June 15th. A person would be permitted to fish in either zone during the open season.

The bill also proposed to establish a variety of limitations on the placement of elver gear and the use of elver gear.

The bill proposed to require the Commissioner of Marine Resources to report by August 1, 1999 to the Joint Standing Committee on Marine Resources on the harvest of elvers during the 1999 season and on any recommendations regarding the number of licenses and gear restrictions for the 2000 elver fishing season. The commissioner would be required to convene a meeting with representatives of the elver fishing industry by September 1, 1999 to review the findings of the reports.