

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
119TH LEGISLATURE**

FIRST REGULAR SESSION

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

JULY 1999

MEMBERS:

*Sen. Jill M. Goldthwait, Chair
Sen. Peggy A. Pendleton
Sen. Bruce W. MacKinnon*

*Rep. David M. Etnier, Chair
Rep. Paul Volenik
Rep. Martha A. Bagley
Rep. Wendy Pieh
Rep. Ronald E. Usher
Rep. William D. Pinkham
Rep. Kenneth F. Lemont
Rep. Kenneth A. Honey
Rep. Deborah Kaler McNeil
Rep. Robert E. Stanwood*

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.

one in the previous year because of an illness or medical condition; service in the United States Armed Forces or United States Coast Guard; or a license suspension.

The law repeals the provision that made a person eligible for a Class I, Class II or Class III lobster and crab fishing license if the person did not possess a license in the previous calendar year because the commissioner had suspended the person's license for the previous calendar year. Instead, the law authorizes the person to appeal a license denial under those circumstances.

The law requires the Department of Marine Resources to develop a proposed appeals process to be used when a license is denied under any limited-entry fishery and to submit a report to the Joint Standing Committee on Marine Resources by January 15, 2000. The law authorizes the Joint Standing Committee on Marine Resources to report out legislation to the Second Regular Session of the 119th Legislature regarding a license appeals process.

Chapter 330 was enacted as an emergency measure effective May 25, 1999.

LD 2062 **An Act to Require Fishing Boats Rather than Individuals to Be Licensed for Salt Water Commercial Ventures** **ONTP**

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

LD 2062 proposed to require that boats, instead of individuals, be licensed for harvesting marine organisms. It proposed to allow any person to fish for a marine organism from a boat that is licensed for the harvesting of that marine organism. It proposed to require the owner of the boat to be on board the boat when it is used for fishing, with exemptions to that requirement under certain circumstances. The owner would be liable for the activities of any person who fished from the owner's boat. The bill proposed to make a variety of technical changes to the marine resources laws to reflect the changing of certain license requirements from licensing individuals to licensing boats.

The bill also proposed to repeal limited-entry provisions in the lobster and sea urchin fisheries.

LD 2198 **An Act to Fund the Costs Associated with Determining Eligibility for Certain Marine Resources Licenses** **PUBLIC 309**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-517
-------------------	--	-----------------------------------	--	------------------------------------

LD 2198 proposed to authorize the use of money in the Lobster Management Fund, the Eel and Elver Management Fund and the Sea Urchin Research Fund to fund costs associated with determining eligibility to participate in the lobster fishery, the elver fishery and the sea urchin fishery.

Committee Amendment "A" (H-517) proposed to add an allocation section and a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 309 authorizes the use of money in the Lobster Management Fund, the Eel and Elver Management Fund and the Sea Urchin Research Fund to fund costs associated with determining eligibility to participate in the lobster fishery, the elver fishery and the sea urchin fishery.