

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Marine Resources*

July 2003

Members:

Sen. Dennis Damon, Chair

Sen. Peggy A. Pendleton

Sen. Richard Bennett

Rep. Thomas D. Bull, Chair

Rep. Nancy B. Sullivan

Rep. Walter E. Ash, Jr.

Rep. Edward R. Dugay

Rep. Leila J. Percy

Rep. Kevin M. Muse

Rep. Deborah K. McNeil

Rep. Jeff Kaelin

Rep. Leonard Earl Bierman

Rep. Frederick J. Moore III

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name 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 PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd 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>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</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>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Marine Resources

LD 70

Resolve, to Provide for the Effective Implementation of Anadromous Fish Restoration on the Upper Kennebec River System

ONTP

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

LD 70 proposed to direct the Department of Marine Resources to update and review the current status of the shad and alewives restoration effort on the upper Kennebec River system and to develop a comprehensive plan regarding continued restoration efforts. The resolve proposed to direct the department to conduct an assessment of the impacts and benefits of the reintroduction of anadromous alewives and to hold public information meetings in affected Kennebec River and Sebasticook River communities. The resolve also proposed to require the department to complete its duties under this resolve and report its findings to the Joint Standing Committee on Marine Resources no later than January 15, 2004.

LD 81

An Act To Set the Minimum Legal Shell Size for Scallops

PUBLIC 63

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HONEY LEMONT	OTP-AM	H-58

LD 81 proposed to increase the minimum ring size of scallops from 3 1/2 inches in diameter to 4 inches in diameter.

Committee Amendment "A" (H-58) proposed to replace the bill and change the title. It proposed that beginning on December 1, 2003, the statewide minimum shell size for scallops would be 3-3/4 inches, and on December 1, 2004 it would increase that minimum size to 4 inches. It would require the immediate release of all scallops that do not meet the size requirements and would provide for prima facie evidence of the possession of illegal scallops. It would also provide the Commissioner of the Department of Marine Resources with the authority to increase the shell size minimum and would make violations of shell size restrictions civil violations.

Enacted Law Summary

Public Law 2003, chapter 63 sets a statewide minimum shell size for scallops of 3-3/4 inches beginning on December 1, 2003, and on December 1, 2004 it increases that minimum shell size to 4 inches. It requires the immediate release of all scallops that do not meet the size requirements and provides for prima facie evidence of the possession of illegal scallops. It also authorizes the Commissioner of the Department of Marine Resources, after December 1, 2004, to increase the shell size minimum.