

# 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*

**Staff:**

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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](http://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 2<sup>nd</sup> 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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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 648

**An Act Clarifying Municipalities' Authority to Assign Mooring Permits**

ONTP

<u>Sponsor(s)</u> EDER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 648 proposed to add aquaculture to the list of activities that required mooring permits from municipal harbor masters and clarified that municipalities with harbor masters could exercise exclusive authority to assign mooring permits within waters under their jurisdiction.

**LD 703**

**An Act To Change the Options for a Lobster Management Zone and To Change Entry Criteria for Noncommercial Licensees**

PUBLIC 466

<u>Sponsor(s)</u> HONEY HALL		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-375
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LD 703 proposed to expand the authority of the Zone E council authority and require that noncommercial lobster and crab license entry criteria be the same as commercial license entry criteria. It also proposed to set the number of noncommercial traps at 10 per vessel and caps the number of noncommercial lobster and crab licenses that can be issued at 2002 license year levels.

**Committee Amendment "A" (H-375)** proposed to replace the original bill and require that the holder of or applicant for a noncommercial lobster and crab fishing license declare both the lobster management zone in which that person will fish and the vessel that will be used to conduct fishing operations. It also proposed to limit the number of noncommercial traps that can be fished from a vessel to 10, regardless of the number of noncommercial license holders that fish from that vessel. Additionally, it proposed to expand the authority of the Zone E lobster management policy council and repeal that expanded authority on June 1, 2006.

### *Enacted Law Summary*

Public Law 2003, chapter 466 requires that the holder of or the applicant for a noncommercial lobster and crab fishing license declare both the lobster management zone in which that person will fish and the vessel that will be used to conduct fishing operations. It limits the number of noncommercial traps that can be fished from a vessel to 10, regardless of the number of noncommercial license holders that fish from that vessel. The bill also expands the authority of the Zone E lobster management policy council and repeals that expanded authority on June 1, 2006.