

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

JOINT STANDING COMMITTEE ON MARINE RESOURCES

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
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 that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Marine Resources

LD 139 An Act To Provide Flexibility for Sea Urchin Zones

ONTP

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

LD 139 provides the Commissioner of Marine Resources with the authority to adopt rules to create sea urchin management areas. It also authorizes the commissioner to adopt rules for management areas that are different from those in place in the surrounding sea urchin zones.

LD 140 An Act To List the Shortnose Sturgeon as a Marine Endangered Species

PUBLIC 6

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON	OTP	

LD 140l adds shortnose sturgeon, which is listed as an endangered species by the United States Secretary of the Interior, to Maine's endangered species list. It authorizes the inclusion of shortnose sturgeon in the Department of Marine Resources' Section 6 Cooperative Agreement with the National Oceanic and Atmospheric Administration, which allows federally funded research of this endangered species in state waters.

Enacted Law Summary

Public Law 2007, chapter 6 adds shortnose sturgeon, which is listed as an endangered species by the United States Secretary of the Interior, to Maine's endangered species list. This action authorizes the inclusion of shortnose sturgeon in the Department of Marine Resources' Section 6 Cooperative Agreement with the National Oceanic and Atmospheric Administration, which allows federally funded research of this endangered species in state waters.

LD 156 An Act To Require All Holders of Mahogany Quahog Licenses To Operate Their Own Vessels When Fishing for Quahogs

ONTP

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

LD 156 is a concept draft pursuant to Joint Rule 208.

LD 156 proposes to amend the current law to require that holders of mahogany quahog licenses must also be present upon and operating their own vessels while those vessels are in the process of fishing for quahogs.

LD 170 An Act To Permit the Landing of Lobsters Harvested by Methods other than Conventional Traps

ONTP

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

LD 170 is an emergency measure and creates an offshore lobster and crab landing license that allows the holder to harvest lobsters other than by conventional lobster traps from the EEZ Offshore Lobster Management Area 3 and land those lobsters in the State. It sets the limit for the number of lobsters that can be harvested under this

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license at 100 lobsters for a fishing trip of 24 hours or less in duration, with a maximum limit of 500 lobsters within a period of 7 consecutive days. LD 170 also provides for the allocation of revenues raised by the new license to the Lobster Fund and the Lobster Promotion Fund.

LD 257 An Act To Allow Expense Reimbursement for the Commercial Fishing Safety Council

PUBLIC 34

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCDONOUGH	OTP-AM	H-32

LD 257 provides compensation to members of the Commercial Fishing Safety Council for the expenses they incur traveling to meetings.

Committee Amendment "A" (H-32)

This committee amendment adds an appropriations and allocations section to the bill.

Enacted Law Summary

Public Law 2007, chapter 34 provides compensation to members of the Commercial Fishing Safety Council for the expenses they incur traveling to meetings.

LD 311 An Act To Create a Nonresident Lobster and Crab Landing Permit

PUBLIC 201

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHEELER	OTP-AM A OTP-AM B ONTP C	H-257

LD 311 creates a new permit that allows nonresident lobster fishermen to land their catch in a Maine port.

Committee Amendment "A" (H-257)

This committee amendment is the majority report and provides that an applicant for a nonresident lobster and crab landing permit must document to the Commissioner of Marine Resources that that person has not been issued lobster trap tags from another state or from the federal government that would allow that person to exceed Maine's trap tag limit. It also provides that the holder of the permit may transport lobsters within the State. This committee amendment directs the Department of Marine Resources to report to the joint standing committee of the Legislature having jurisdiction over marine resources matters on the implementation and impact of the nonresident lobster and crab landing permit on the lobster resource and related businesses by January 3, 2009.

Enacted Law Summary

Public Law 2007, chapter 201 creates a new permit that allows nonresident lobster fishermen to land their catch in a Maine port. It provides that an applicant for a nonresident lobster and crab landing permit must document to the Commissioner of Marine Resources that that person has not been issued lobster trap tags from another state or from the federal government that would allow that person to exceed Maine's trap tag limit. Public Law 2007, chapter 201 also provides that the holder of the permit may transport lobsters within the State. It directs the Department of Marine Resources to report to the joint standing committee of the Legislature having jurisdiction over marine resources matters on the implementation and impact of the nonresident lobster and crab landing permit on the lobster resource and related businesses by January 3, 2009.