

MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
MARINE RESOURCES

JULY 1997

MEMBERS:

Sen. Jill M. Goldthwait, Chair

Sen. Peggy A. Pendleton

Sen. Bruce W. MacKinnon

Rep. David Etnier, Chair

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Rep. Frederick J. Moore, III

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. 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 handled by the joint standing committees. It is organized alphabetically 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:

<i>CARRIED OVER</i>	<i>Bill carried over to Second 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>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>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</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 the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

LD 773**An Act to Study a Marine Ecological Reserves Designation in State Coastal Waters**

ONTP

Sponsor(s)
CHARTRAND
LAFOUNTAIN

Committee Report
ONTP

Amendments Adopted

LD 773 proposed that the Commissioner of Marine Resources establish a study of ecological marine reserves in state waters and to seek funding for the study from the Gulf of Maine Council on the Marine Environment and other sources.

LD 775**An Act Concerning Applied Aquaculture Research in the Coastal Waters of the State****PUBLIC 231
EMERGENCY**

Sponsor(s)
HONEY

Committee Report
OTP-AM

Amendments Adopted
H-249

LD 775 proposed to allow research to include commercial aquaculture production of marine organisms. Current law requires a person to have a license issued by the Commissioner of Marine Resources in order to operate aquaculture pens. The commissioner may grant an exemption for scientific research for a term not to exceed two years.

Committee Amendment "A" (H-249) proposed to replace the bill. It proposed to authorize the Commissioner of Marine Resources to grant a limited-purpose lease of submerged lands for scientific research or commercial aquaculture research and development. A limited-purpose lease would cover a maximum of two acres and be issued for a period of three years or less, unless application were made for a full aquaculture lease, in which case the limited-purpose lease could be occupied until the Commissioner of Marine Resources rendered a decision on the full aquaculture lease. The amendment also proposed to authorize the Commissioner of Marine Resources to grant an emergency aquaculture lease to relocate shellfish from an aquaculture lease area where the health and safety of the shellfish are threatened. An emergency aquaculture lease could be issued for a period of six months or less, unless application were made for a full aquaculture lease or a limited-purpose aquaculture lease, in which case the emergency aquaculture lease could be occupied until the Commissioner of Marine Resources rendered a decision on the other lease application.

Enacted law summary

Public Law 1997, chapter 231 authorizes the Commissioner of Marine Resources to grant a limited-purpose lease of submerged lands for scientific research or commercial aquaculture research and development. A limited-purpose lease may cover a maximum of two acres and be issued for a period of three years or less, unless application is made for a full aquaculture lease, in which case the limited-purpose lease may be occupied until the Commissioner of Marine Resources renders a decision on the full aquaculture lease. The law also authorizes the Commissioner of Marine Resources to grant an emergency aquaculture lease to relocate shellfish from an aquaculture lease area where the health and safety of the shellfish are threatened. An emergency aquaculture lease may be issued for a period of six months or less, unless application is made for a full aquaculture lease or a limited-purpose aquaculture lease, in which case the emergency aquaculture lease may be occupied until the Commissioner of Marine Resources renders a decision on the other lease application. The law is effective on May 20, 1997.