

MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

SECOND REGULAR SESSION
AND
SECOND SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
MARINE RESOURCES

MAY 1998

MEMBERS:

Sen. Jill M. Goldthwait, Chair

Sen. Peggy A. Pendleton

Sen. Bruce W. MacKinnon

Rep. David Etnier, Chair

Rep. Paul Volenik

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Rep. Frederick J. Moore, III

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**ONE HUNDRED EIGHTEENTH LEGISLATURE
SECOND REGULAR AND SECOND SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees
May 1998**

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. 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 handled by the joint standing 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:

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
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 Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

The amendment proposed that a person who harvests lobsters in the Monhegan Lobster Conservation Area could not fish in any other state waters at any time and could not harvest lobsters in federal waters during the area's closed season.

The amendment also proposed to create a 13-member task force to study the use of subzones within the current lobster zone structure. The task force would be required to report its findings and recommendations by January 1, 1999.

The amendment also proposed to strike the emergency preamble and clause. It also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 574 creates the Monhegan Lobster Conservation Area in the state waters surrounding Monhegan Island. It prohibits a person from harvesting lobsters from the area unless the person uses lobster traps fitted with tags designated for use in the area.

It limits fishing in the area during the initial 1998-99 open season to people who were registered under Department of Marine Resources rules for harvesting in the area from January 1, 1997 to June 25, 1997; harvested lobsters from the area any time between January 1, 1997 to June 25, 1997; and possess Class I, Class II or Class III lobster and crab fishing licenses. A person who is not initially eligible to harvest lobsters in the area may become eligible if the person completes a minimum 2-year apprenticeship and if a harvester leaves the area's lobster fishery.

A person who holds a student lobster license may fish up to 15 traps in the Monhegan Lobster Conservation Area provided the person fishes with a person who is registered to harvest lobsters in the area.

The open season for the Monhegan Lobster Conservation Area is a 180-day period between December 1st and June 25th of the following year established annually by the Commissioner of Marine Resources.

A person who harvests lobsters in the Monhegan Lobster Conservation Area may not fish in any other state waters at any time and may not harvest lobsters in federal waters during the area's closed season.

The law also creates a 13-member task force to study the use of subzones within the current lobster zone structure. The task force must report its findings and recommendations by January 1, 1999.

LD 2026

An Act Concerning Lobster Policy Management Council Referenda

ONTP

Sponsor(s)
GOLDTHWAIT
ETNIER

Committee Report
ONTP

Amendments Adopted

LD 2026 proposed that a ballot in a referendum held by a lobster policy management council must have the voter's lobster and crab license number on it to establish it as a legitimate ballot from an eligible voter. It also proposed to provide that a ballot, once submitted, can not be identified with an individual.

LD 2127

An Act to Amend the Nonresident Municipal Shellfish License Fee

PUBLIC 589