

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

Rep. Martha A. Bagley

Rep. Albion D. Goodwin

Rep. Wendy Pieh

Rep. William D. Pinkham

Rep. James D. Layton

Rep. Royce W. Perkins

Rep. Kenneth A. Honey

Rep. Reginald G. Pinkham

Rep. Frederick J. Moore, III

Staff:

John G. Kelley, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101/107/135, 13 State House Station
Augusta, ME 04333
(207)287-1670*



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
 Telephone: (207) 287-1670
 Fax: (207) 287-1275

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.

year 2001. It allows up to 30% of the license surcharge revenue be used for enforcement purposes. It also provides for two separate seasons for fishing in Zone 2 and requires a Zone 2 harvester to fish during only one of those seasons. It also adds a sea urchin boat tender to the Sea Urchin Zone Council. It also requires the Commissioner of Marine Resources to report to the Legislature by January 15, 2001 on the sea urchin lottery system. The law also requires the Commissioner of Marine Resources to report by January 15, 1999 on the designation of zones to manage the sea urchin resource, the feasibility, practicality and methods of electing members to the Sea Urchin Zone Council, the establishment of separate councils for each sea urchin zone and any other matter of interest regarding the management and conservation of sea urchins.

LD 2226

An Act to Limit New Lobster and Crab Fishing Licenses

PUBLIC 747

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-1004
	ONTP MIN	S-739 MICHAUD

LD 2226 proposed a moratorium on commercial lobster and crab fishing licenses. It proposed to provide that until December 31, 1999 commercial lobster and crab fishing licenses may only be issued to a person who held a license in the previous calendar year, who possessed an apprentice lobster and crab fishing license issued prior to February 13, 1998 and meets the requirements of the apprentice program or who did not possess a commercial lobster and crab fishing license in the previous calendar year because of a license suspension.

Committee Amendment "A" (H-1004) proposed to require the Lobster Advisory Council to study limited entry into lobster management zones and submit a report by January 1, 1999 to the joint standing committee of the Legislature having jurisdiction over marine resources matters.

Senate Amendment "A" to Committee Amendment "A" (S-739) proposed to replace the fiscal note to Committee Amendment "A."

Enacted law summary

Public Law 1997, chapter 747 places a moratorium on commercial lobster and crab fishing licenses by requiring that until December 31, 1999 commercial lobster and crab fishing licenses may only be issued to a person who held a license in the previous calendar year, who possessed an apprentice lobster and crab fishing license issued prior to February 13, 1998 and meets the requirements of the apprentice program or who did not possess a commercial lobster and crab fishing license in the previous calendar year because of a license suspension. The laws also requires the Lobster Advisory Council to study limited entry into lobster management zones and submit a report by January 1, 1999 to the joint standing committee of the Legislature having jurisdiction over marine resources matters.

LD 2235

Resolve, Regarding Legislative Review of Chapter 2.10: Aquaculture Lease Regulations, Lease Categories and Environmental Baseline, a Major Substantive Rule of the Department of Marine Resources

**RESOLVE 93
EMERGENCY**

Sponsor(s)

Committee Report
OTP

Amendments Adopted

LD 2235 proposed that the Legislature approve major substantive rules developed by the Department of Marine Resources regarding regulations, categories and environmental baselines for aquaculture leases.

Enacted law summary

Resolve 1997, chapter 93 approves major substantive rules developed by the Department of Marine Resources regarding regulations, categories and environmental baselines for aquaculture leases. Chapter 93 was enacted as an emergency measure effective March 18, 1998.