

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
MARINE RESOURCES**

JULY 1999

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Sen. Bruce W. MacKinnon*

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ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all bills that were considered by the Joint Standing and 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 and select committees.

The document is organized for convenient reference to information on bills considered by the 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:

| | |
|-----------------------------------|---|
| CARRIED OVER..... | Bill carried over to Second Regular Session |
| 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 |
| ENACTMENT FAILED..... | Bill failed to get vote required for enactment or final passage |
| NOT PROPERLY BEFORE THE BODY..... | Ruled out of order by the presiding officers; bill died |
| 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 First Regular Session (unless otherwise specified in a particular law) is September 18, 1999.

| | | |
|---------------|--|-------------|
| LD 248 | An Act to Implement a Recommendation of the Joint Select Committee on Research and Development to Fund the Governor's Marine Studies Fellowship Program | ONTP |
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| <u>Sponsor(s)</u> HONEY GOLDTHWAIT | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
|--|---------------------------------|---------------------------|

LD 248 proposed to appropriate funds to the Governor's Marine Studies Fellowship Program to provide support for undergraduate and graduate students enrolled in state-chartered colleges and universities to work with researchers in academic institutions, marine industries and marine industry associations.

The provisions of the bill were subsequently amended and incorporated into the Part 2 budget (Public Law 1999, chapter 401).

| | | |
|---------------|---|-------------|
| LD 298 | An Act to Allow Town and Municipal Governments to Add Periwinkles to Their Clam Ordinances | ONTP |
|---------------|---|-------------|

| | | |
|------------------------------|---------------------------------|---------------------------|
| <u>Sponsor(s)</u> GOODWIN | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
|------------------------------|---------------------------------|---------------------------|

LD 298 proposed to permit a municipality to regulate the possession of periwinkles through the municipality's shellfish conservation ordinance. The bill also proposed to include unorganized townships in the definition of "municipality" and to permit unorganized townships to adopt regional shellfish management programs.

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|---------------|---|-------------|
| LD 315 | An Act to Amend the Laws Governing the Marine Resources Advisory Council | ONTP |
|---------------|---|-------------|

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|--|---------------------------------|---------------------------|
| <u>Sponsor(s)</u> HARRIMAN HONEY | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
|--|---------------------------------|---------------------------|

LD 315 proposed to expand the Marine Resources Advisory Council from 15 to 17 members by making the chair of the Recreational Marine Advisory Council an ex officio member and by adding a member to represent the charter boat industry.

| | | |
|---------------|--|-------------|
| LD 316 | An Act to Alter Eligibility for New Lobster and Crab Fishing Licenses during the Current Moratorium | ONTP |
|---------------|--|-------------|

| | | |
|----------------------------|---------------------------------|---------------------------|
| <u>Sponsor(s)</u> MILLS | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
|----------------------------|---------------------------------|---------------------------|

LD 316 proposed to amend the current moratorium on the issuance of new Class I, Class II or Class III lobster and crab fishing licenses except to those persons who were licensed in the previous calendar year to allow the Commissioner of Marine Resources to grant a Class I, Class II or Class III lobster and crab fishing license to a person who was licensed at any time since January 1, 1996.

LD 327

Resolve, to Study Limited Effort in the Scallop Fishery

RESOLVE 16

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| GOLDTHWAIT PINKHAM | OTP-AM | S-48 H-216 ETNIER |

LD 327 proposed to change the scallop season to December 1st to April 15th from the current season of November 1st to April 15th and to require a minimum 3 1/4-inch ring diameter for scallop drags from December 1, 1999 to April 15, 2001 and a 3 1/2-inch ring diameter after December 1, 2001. The bill proposed to limit scallop drag width to 5 feet, 6 inches from December 1st to December 31st and 10 feet, 6 inches from January 1st to April 15th.

Committee Amendment "A" (S-48) proposed to replace the bill with a resolve and change the title. The amendment proposed to require the Commissioner of Marine Resources to study limited effort in the scallop fishery and submit a report with findings and recommendations to the Joint Standing Committee on Marine Resources by January 1, 2000. In developing the findings and recommendations, the commissioner would be required to consult with representatives of the scallop fishing industry and other interested parties. The amendment also proposed to authorize the Joint Standing Committee on Marine Resources to report out legislation during the Second Regular Session of the 119th Legislature regarding limited effort in the scallop fishery.

House Amendment "A" to Committee Amendment "A" (H-216) proposed to change the reporting date from January 1, 2000 to December 31, 1999.

Enacted law summary

Resolve 1999, chapter 16 requires the Commissioner of Marine Resources to study limited effort in the scallop fishery and submit a report with findings and recommendations to the Joint Standing Committee on Marine Resources by December 31, 1999. In developing the findings and recommendations, the commissioner shall consult with representatives of the scallop fishing industry and other interested parties. The law authorizes the Joint Standing Committee on Marine Resources to report out legislation during the Second Regular Session of the 119th Legislature regarding limited effort in the scallop fishery.

LD 387

An Act to Exempt Persons 70 Years of Age and Older From Paying the Fee for Commercial Shellfish Licenses

INDEF PP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| PINKHAM CASSIDY | OTP-AM | |

LD 387 proposed to exempt persons 70 years of age and over from the \$63 fee for a commercial shellfish license.

Committee Amendment "A" (H-90) proposed to establish an effective date of May 1, 2000 for the legislation. This amendment was adopted in both the House and the Senate, but the bill and the amendment were later indefinitely postponed.