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

MEMBERS: Sen. Jill M. Goldthwait, Chair Sen. Peggy A. Pendleton Sen. Bruce W. MacKinnon

Rep. David M. Etnier, Chair Rep. Paul Volenik Rep. Martha A. Bagley Rep. Wendy Pieh Rep. Ronald E. Usher Rep. William D. Pinkham Rep. Kenneth F. Lemont Rep. Kenneth A. Honey Rep. Deborah Kaler McNeil Rep. Robert E. Stanwood

Staff: Amy B. Holland, 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 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, <u>History and Final Disposition of Legislative Documents</u>, 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
CONF CMTE UNABLE TO AGREE	
DIED BETWEEN BODIES	House & Senate disagree; bill died
DIED IN CONCURRENCE	One body accepts ONTP report; the other indefinitely postpones the bill
	Action incomplete when session ended; bill died
EMERGENCY	Enacted law takes effect sooner than 90 days
	Bill failed to get vote required for enactment or final pasage
NOT PROPERLY BEFORE THE BODY	Ruled out of order by the presiding officers; bill died
INDEF PP	Bill Indefinitely Postponed
ONTP	Bill Indefinitely PostponedOught Not To Pass report accepted
OTP ND	
<i>OTP ND/NT</i>	
P&S XXX	Chapter # of enacted Private & Special Law
PUBLIC XXX	
RESOLVE XXX	
	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 388

An Act to Prohibit the Dragging for Mussels in Portions of Hancock County and Washington County for Certain Times of the Year

ONTP

Sponsor(s)	Committee Report	Amendments Adopted
PINKHAM	ONTP	
GOLDTHWAIT		

LD 388 proposed to prohibit a person from dragging for mussels from April 1st to October 31st in certain waters in Hancock County and Washington County. It proposed to exempt from this prohibition people who possess aquaculture leases to grow or harvest mussels in those waters.

LD 408 An Act Regarding the Waiver Process Under the Lobster Apprenticeship Public 281 Program

Sponsor(s)	Committee Report	Amendments Adopted	
PINKHAM	OTP-AM	H-308	
CASSIDY			

LD 408 proposed to provide four additional cases under which the Commissioner of Marine Resources may grant a waiver from the lobster apprenticeship program. A waiver could be granted when a person documents: a medical reason for not renewing a lobster and crab fishing license in the previous calendar year; that services in the United States Armed Forces prevented that person from participating in the lobster fishery; that the person held a lobster and crab fishing license for at least two consecutive years in the last 10 years; or that at least 50% of that person's income came from harvesting lobsters in one of the previous five years.

The bill also proposed to require the Marine Resources Advisory Council to review waiver requests and recommend approval or denial to the Commissioner of Marine Resources.

Committee Amendment "A" (H-308) proposed to repeal on December 31, 1999 the waiver provision that allows the Commissioner of Marine Resources to waive all or part of the practical lobster fishing experience component or the program length component of the lobster apprenticeship program if a person documents to the commissioner that the person obtained practical lobster fishing experience as a sternman.

Enacted law summary

Public Law 1999, chapter 281 repeals on December 31, 1999 the waiver provision that allows the Commissioner of Marine Resources to waive all or part of the practical lobster fishing experience component or the program length component of the lobster apprenticeship program if a person documents to the commissioner that the person obtained practical lobster fishing experience as a sternman.

LD 447 An Act to Reinstate the Provision Allowing a Reduction in the Retail Seafood License Fee for Licenses Issued After September 30th

ONTP

Sponsor(s)	Committee Report		Amendments Adopted
MAYO	OTP-AM	MAJ	
SMALL	ONTP	MIN	

LD 447 proposed to allow for a reduction in the retail seafood license fee for a license issued after September 30th.

Committee Amendment "A" (H-30), the majority report of the Joint Standing Committee on Marine Resources, proposed to amend the bill by allowing for a reduction in the retail seafood license fee for a license issued after September 30th only to a person who has not previously held a retail seafood license for the establishment or vehicle named in the new license. The amendment proposed to change the reduced fee from \$42.50 to \$42 and to specify that the full fee applies regardless of the date the license is issued if a person is in violation of the requirement to have a retail seafood license. The amendment also proposed to establish an effective date of April 1, 2000. This amendment was not adopted.

LD 504

An Act to Correct Inequities in Lobster and Crab Fishing Licensure Laws

ONTP

 Sponsor(s)
 Committee Report
 Amendments Adopted

 PINGREE
 ONTP

LD 504 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 a license to be issued to a person who possessed a Class I, Class II or Class III license prior to 1996 and to require the Commissioner of Marine Resources to give priority to those license applications.

LD 522 An Act to Regulate the Harvesting of Rockweed and Seaweed in Maine Waters

ONTP

Sponsor(s) GOODWIN CASSIDY Committee Report ONTP Amendments Adopted

LD 522 proposed to require the Commissioner of Marine Resources to adopt rules regulating the harvesting of seaweed from the low water mark to the three-mile territorial sea line. The bill also proposed to require the commissioner to report to the Joint Standing Committee on Marine Resources by January 15, 2000 on the status of the rules and the condition of the State's seaweed resource.

LD 653 An Act to Limit to 5 Days per Week the Taking of Elvers in Hand Dip Nets

ONTP

Sponsor(s) RUHLIN Committee Report
ONTP

Amendments Adopted

LD 653 proposed to eliminate from current law the permission to use fyke nets and Sheldon eel traps to fish for or take elvers from coastal waters of the State and to provide that only hand dip nets may be used for elver fishing. The bill proposed to retain the five-day per week period for elver fishing in current law.