

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
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, 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.

lobsters caught by any method other than conventional lobster traps, possession of egg-bearing lobsters, possession of v-notched lobsters and removal of extruded eggs from female lobsters.

LD 804 **An Act to Prohibit the Appointment of Lobbyists to the New England Fishery Management Council** **ONTP**

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

LD 804 proposed to prohibit the Governor from nominating a lobbyist for appointment to the New England Fishery Management Council if that lobbyist is or has been during the previous 24 months employed by an entity whose interests could be affected by the decisions of the council.

LD 805 **An Act to Close Certain Areas to the Harvesting of Herring** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARRIMAN SAXL M	ONTP	

LD 805 proposed to require the Commissioner of Marine Resources to identify the location of all coastal waters that serve as spawning areas for herring. It also proposed to close those areas to the harvest of herring from August 15th to September 28th.

LD 816 **An Act to Change the Size of Rings on Scallop Drags** **ONTP**

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

LD 816 proposed to change the size of the rings on scallop drags that may be used to fish for or take scallops from 3 1/4" to 3 1/2" starting November 1, 1999.

LD 819 **An Act to Provide Funding for the Beals Island Regional Shellfish Hatchery** **P & S 47**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ETNIER GOLDTHWAIT	OTP-AM	H-44

LD 819 proposed to appropriate \$15,000 to the Department of Marine Resources in each of fiscal years 1999-00 and 2000-01 for the establishment of a grant to the Maine Aquaculture Innovation Center to support the hatching and raising of seed clams at the Beals Island Regional Shellfish Hatchery.

Committee Amendment "A" (H-44) proposed to specify that the \$15,000 appropriation would be used to support outreach activities at the Beals Island Regional Shellfish Hatchery rather than the hatching and raising of seed clams.

Enacted law summary

Private and Special Law 1999, chapter 47 appropriates \$15,000 to the Department of Marine Resources in each of fiscal years 1999-00 and 2000-01 for the establishment of a grant to support outreach activities at the Beals Island Regional Shellfish Hatchery.

LD 843 An Act to Regulate Anchors Used in Elver Fishing ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE C	ONTP	

LD 843 proposed to require that a person attach a tag to each anchor used on elver fyke nets. The tag would have to include the person's name and elver fishing license number. The bill also proposed to require that elver fyke net anchors be removed from rivers, streams and brooks when the elver fyke net is removed.

LD 849 An Act Regarding Lobster Trap Escape Vent Dimensions ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLENIK	ONTP MAJ OTP MIN	

LD 849 proposed to change the lower dimensions for lobster trap escape vents to 1 7/8 inches. It also proposed to repeal the authority of the Commissioner of Marine Resources to adjust by rule lobster trap escape vent dimensions.

LD 871 An Act to Amend the Process for Granting Aquaculture Leases CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMALL		

LD 871 proposes to require the Department of Marine Resources, in considering the issuance of aquaculture leases in areas in which pollution has created conditions that adversely affect traditional fisheries, to make an assessment of any pollution abatement activities that may be occurring and when the area may be suitable again for traditional fisheries. If the department finds that a polluted area will be sufficiently cleansed to support fishing uses within a year of the application, it would be required to make this finding clear in all notices of the hearing on the lease. The department could not issue a lease for a polluted area if the area would be suitable for fishing uses within one year of the application and the department finds that the aquaculture project would unreasonably interfere with future fishing uses of the area.