

# 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*

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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](http://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.

Salmon Aquaculture Monitoring, Research and Development Fund and the Maine Salmon Aquaculture Advisory Council.

Chapter 156 was enacted as an emergency measure effective May 12, 1999.

**LD 1139**                      **An Act to Amend the Law for Children of Lobster License Holders**                      **ONTP**

<u>Sponsor(s)</u> ANDREWS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1139 proposed to amend the apprentice program for new entrants into Maine's lobster fishery by authorizing the Commissioner of Marine Resources to waive all or part of the practical lobster fishing experience component or the program length for a person who is the child of a lobster and crab fishing license holder and who has obtained practical lobster fishing experience as an unlicensed crew member assisting that license holder.

**LD 1154**                      **An Act to Make November 1st the Opening Day of the Scallop Season throughout the State**                      **ONTP**

<u>Sponsor(s)</u> GOODWIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1154 proposed to provide for a uniform open season for scallop fishing along the entire coast of Maine.

**LD 1171**                      **An Act to Provide for Management of the Harvest of Seaweed**                      **PUBLIC 501**

<u>Sponsor(s)</u> GOLDTHWAIT		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-114
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LD 1171 proposed to increase seaweed permit fees and to establish the Seaweed Management Fund to be used to research and manage seaweed resources and to enforce laws and rules related to seaweed. The bill also proposed to authorize the Commissioner of Marine Resources to adopt rules regulating the harvest of seaweed.

**Committee Amendment "A" (S-114)** proposed to adjust the seaweed permit fees proposed in the bill by setting a lower fee for the resident seaweed permit and higher fees for the nonresident seaweed permit and the supplemental seaweed permit and establishing a nonresident supplemental seaweed permit. The amendment proposed to strike shipping and selling from the list of activities that may be undertaken with a supplemental seaweed permit. It also proposed to specify that the Commissioner of Marine Resources shall use the Seaweed Management Fund in accordance with an annual plan for expenditures.

The amendment proposed to clarify that the commissioner may adopt rules regulating the harvest of seaweed on a species-specific basis.

The amendment proposed to require the Commissioner of Marine Resources to submit a report by December 31, 1999 to the Joint Standing Committee on Marine Resources regarding seaweed permits and the Seaweed Management Fund. It also proposed to authorize the Joint Standing Committee on Marine Resources to report out legislation regarding seaweed permits and the Seaweed Management Fund to the Second Regular Session of the 119th Legislature.

***Enacted law summary***

Public Law 1999, chapter 501 increases seaweed permit fees and establishes a new nonresident supplemental seaweed permit. The law also establishes the Seaweed Management Fund to be used to research and manage seaweed resources and to enforce laws and rules related to seaweed. The law authorizes the Commissioner of Marine Resources to adopt rules regulating the harvest of seaweed on a species-specific basis. It also requires the Commissioner of Marine Resources to submit a report by December 31, 1999 regarding seaweed permits and the Seaweed Management Fund and authorizes the Joint Standing Committee on Marine Resources to report out legislation regarding seaweed permits and the Seaweed Management Fund to the Second Regular Session of the 119th Legislature.

**LD 1173**

**An Act Regarding Elver Fishing**

**ONTP**

Sponsor(s)  
PERKINS

Committee Report  
ONTP

Amendments Adopted

LD 1173 proposed to require the Commissioner of Marine Resources to classify elver fishing rivers, brooks and streams as Class I, Class II or Class III elver waters, based on the flow volume of the watercourse. Elver harvesting on Class I and Class II rivers would be limited to dip nets. Municipalities would be able to petition the commissioner to close elver fishing on Class I waters. Elvers could be harvested on Class III waters with elver fyke nets, Sheldon eel traps and dip nets and harvesting on Class III waters would alternate banks each year. The bill proposed to establish separate elver fishing licenses for Class I, Class II and Class III waters.

The bill also proposed to require the Commissioner of Marine Resources to determine the number of dip net licenses that could be issued annually under the licenses for Class I, Class II and Class III waters. If the number of dip net license applications for a license category exceeded the number of license openings for that category, the commissioner would be required to hold a lottery to determine who would obtain a license in that category. A person issued a dip net license could utilize only one dip net.

The bill proposed to require the Commissioner of Marine Resources to establish elver fyke net sites in Class III waters. If more than one person chose a particular site, their names would be entered into a general lottery for elver fyke net sites. A person issued a Class III license could use only two elver fyke nets, two Sheldon eel traps or one elver fyke net and one Sheldon eel trap.

**LD 1288**

**An Act to Establish a Lobster License for 30-year Residents of the State  
Who are 65 Years of Age or Older**

**ONTP**

Sponsor(s)  
GOODWIN

Committee Report  
ONTP

Amendments Adopted

LD 1288 proposed to establish a lobster and crab fishing license for residents 65 years of age or older who, at the time of application, had been full-time residents of the State for each of the previous 30 years. The holder of a 30-year resident license would be authorized to fish up to 150 lobster traps.