

MAINE STATE LEGISLATURE

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STATE OF MAINE
119TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
MARINE RESOURCES

JULY 2000

MEMBERS:

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Sen. Peggy A. Pendleton
Sen. Bruce W. MacKinnon

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ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of 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:

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
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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
Offices Located in the State House, Rooms 101 & 107

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDTHWAIT	OTP-AM MAJ ONTP MIN	S-543 S-745 MICHAUD

LD 906 proposed to establish a limitation on the number of elver fishing licenses that may be sold in any year and a mechanism for bringing new people into the elver fishery as licenses become available through attrition. It proposed to establish a fee schedule for licenses and for elver fishing gear, to establish the amount of elver fishing gear that may be used in the years 1999, 2000, 2001 and 2002 and to specify that in the year 2003, only dip nets may be used in the elver fishery. It proposed to specify the open and closed seasons for the elver fishery for the years 2000, 2001, 2002 and 2003 and to increase the number of eels that an individual may take for personal purposes.

Committee Amendment "A" (S-543), the majority report of the committee, proposed to replace the provisions in the bill. The amendment proposed to specify that all elver fishing license fees accrue to the Eel and Elver Management Fund and to apply that change retroactively to January 1, 2000. The amendment proposed to provide funds for 2 positions to enable research and management of the elver fishery and for enforcement.

Senate Amendment "A" to Committee Amendment "A" (S-745) proposed to replace the committee amendment and instead to provide a one-time General Fund appropriation of \$25,000 to support the operational costs of research and management of the elver fishery.

Enacted law summary

Private and Special Law 1999, chapter 94 makes a one-time appropriation of \$25,000 to support the operational costs of research and management of the elver fishery.

Private and Special Law 1999, chapter 94 was enacted as an emergency measure effective May 10, 2000.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDTHWAIT	OTP-AM	S-508

LD 1634 proposed to allow the Commissioner of Marine Resources to approve by rule certain limited-purpose aquaculture lease applications for commercial research and development or scientific research.

Committee Amendment "A" (S-508) proposed to establish a limited-purpose aquaculture license that would authorize the license holder to utilize approved aquaculture gear to engage in certain aquaculture activities and specify the criteria for a license. The amendment proposed to prohibit a person from molesting approved aquaculture gear and to establish penalties for cutting or damaging gear. The amendment proposed to require the Commissioner of Marine Resources to adopt rules implementing the new license provisions. The amendment also proposed to establish the Aquaculture Research Fund.

Enacted law summary

Public Law 1999, chapter 567 establishes a limited-purpose aquaculture license that authorizes the license holder to utilize approved aquaculture gear to engage in certain aquaculture activities and specifies the criteria for a license. The law prohibits a person from molesting approved aquaculture gear and establishes penalties for cutting or damaging gear. The law also establishes the Aquaculture Research Fund.

LD 1827 An Act to Establish the North Atlantic Cold Water Observatory ONTP

<u>Sponsor(s)</u> LAWRENCE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1827 proposed to establish the North Atlantic Cold Water Observatory to research the conditions of the North Atlantic Ocean, including its fisheries and climate.

LD 2341 An Act to Limit Lobster Management Zones to State Coastal Waters DIED BETWEEN BODIES

<u>Sponsor(s)</u> ETNIER		<u>Committee Report</u> OTP-AM MAJ ONTP MIN		<u>Amendments Adopted</u>
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LD 2341 proposed to limit lobster management zones to 3 nautical miles from the coastline of the State.

Committee Amendment "A" (H-949), the majority report of the committee, proposed to clarify how rules adopted for lobster management zones would apply if the zones were limited to the 3-mile nautical line as described on nautical charts. A lobster license holder would not be required to fish a majority of that person's traps within the license holder's declared lobster management zone when fishing beyond the 3-mile nautical line. A license holder would be subject to the most restrictive rules regarding the number of lobster traps allowed on a trawl and the time of day when lobster fishing may occur adopted for any zone in which the license holder fishes only when fishing inside the 3-mile nautical line. A license holder would be subject to the most restrictive rules regarding the number of lobster traps fished adopted for any zone in which the license holder fishes when that license holder is fishing inside the 3-mile nautical line and would be subject to the rules for the license holder's own zone when fishing beyond the 3-mile nautical line.