

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:

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Sen. Peggy A. Pendleton

Sen. Bruce W. MacKinnon

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Rep. Robert E. Stanwood

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Maine State Legislature
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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 1628

An Act to Change the Provisions of the Lobster License Apprentice Program

ONTP

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

LD 1628 proposed to allow the Commissioner of Marine Resources to waive one year of the lobster apprentice program for each three years the applicant has of practical lobster fishing experience as a holder of a Class I lobster and crab fishing license.

LD 1634

An Act to Allow Certain Aquaculture Activities by Rule

CARRIED OVER

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

LD 1634 proposes 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.

LD 1827

An Act to Establish the North Atlantic Cold Water Observatory

CARRIED OVER

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

LD 1827 proposes to establish the North Atlantic Cold Water Observatory to research the conditions of the North Atlantic Ocean, including its fisheries and climate.

LD 1829

An Act to Establish a License for the Marine Shrimp Fishery

PUBLIC 491

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDTHWAIT HONEY	OTP-AM	S-153

LD 1829 proposed to establish a commercial shrimp permit for the commercial shrimp fishery and to require a person to hold both a commercial fishing license and a commercial shrimp permit in order to fish for shrimp. It proposed to establish the Shrimp Management Fund into which proceeds from the sale of a commercial shrimp permit would be deposited. The bill also proposed to require a person to hold a wholesale seafood license with a shrimp permit in order to buy, sell, ship or transport shrimp

The bill proposed to provide that if reporting in the fishery is required, failure to provide reports would be cause for nonrenewal of a shrimp permit or a wholesale seafood license with a shrimp permit. This bill was submitted on behalf of the Department of Marine Resources.

Committee Amendment "A" (S-153) proposed to establish a commercial shrimp license for the commercial shrimp fishery. It proposed to specify that a member of the Passamaquoddy Tribe is not required to hold a state commercial shrimp license if the member holds a tribal license to conduct the activities authorized under the state license.

The amendment proposed to specify that the Shrimp Management Fund must be used for research and assessment related to management of the shrimp fishery. It also proposed to strike from the bill the requirement that 50% of the fee for the wholesale seafood license with a shrimp permit be deposited in the Shrimp Management Fund. The amendment proposed to clarify that rules adopted by the Commissioner of Marine Resources related to submission of data by license holders are routine technical rules.

The amendment proposed to specify that the sections of the bill establishing a wholesale seafood license with a shrimp permit would take effect on April 1, 2000 and that a wholesale seafood license with a shrimp permit would expire on March 31st of each year. The amendment also proposed to specify that the section of the bill establishing a commercial shrimp license would take effect on January 1, 2000.

The amendment also proposed to allocate funds for costs related to the management of the shrimp fishery.

Enacted law summary

Public Law 1999, chapter 491 establishes a commercial shrimp license for the commercial shrimp fishery. It also establishes the Shrimp Management Fund into which proceeds from the sale of a commercial shrimp license must be deposited and requires that the Commissioner of Marine Resources use the fund for research and assessment related to management of the shrimp fishery. Chapter 491 also requires a person to hold a wholesale seafood license with a shrimp permit in order to buy, sell, ship or transport shrimp.

LD 1836

An Act Concerning the Sea Urchin Fishery

PUBLIC 244

<u>Sponsor(s)</u> ETNIER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-306
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LD 1836 proposed to make the following changes to the laws regarding the sea urchin fishery:

1. It proposed to eliminate the personnel restriction regarding the use of the sea urchin research fund;
2. It proposed to provide that failure to report required data may result in ineligibility to renew licenses;
3. It proposed to add possession of sea urchins on a boat during a closed day as an unauthorized activity;
4. It proposed to direct the Commissioner of Marine Resources to suspend the sea urchin license of a license holder upon conviction of violating the sea urchin fishing season;
5. It proposed to direct the Commissioner of Marine Resources to suspend a sea urchin license upon conviction of violating the zone harvesting laws;
6. It proposed to place conditions on changing zones so that the number of license holders changing from Zone 1 to Zone 2 would equal the number of license holders changing from Zone 2 to Zone 1;
7. It proposed to change the membership of the Sea Urchin Zone Council from including a processor and a buyer from Zone 1 and a processor and a buyer from Zone 2 to including two individuals in Zone 1 who have either a processor's or buyer's permit and two individuals in Zone 2 who have either a processor's or buyer's permit; and
8. It proposed to specify that the zone council may seek advice from knowledgeable scientists with regard to research needs.

This bill was submitted on behalf of the Department of Marine Resources.