

# 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:***

*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  
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Rep. Robert E. Stanwood*

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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](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:

- 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

The law repeals the current medical exception and license transfer provisions for handfishing sea urchin licenses, sea urchin dragging licenses and sea urchin hand-raking and trapping licenses.

Public Law 1999, chapter 643 was enacted as an emergency measure effective April 7, 2000.

**LD 2618**

**An Act to Implement the Recommendations of the Joint Standing Committee on Marine Resources Relating to the Review of the Maine Sardine Council Under the State Government Evaluation Act**

**PUBLIC 678  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-1033 ETNIER H-963

LD 2618 proposed to implement the recommendations made by the Joint Standing Committee on Marine Resources as a result of the committee's review of the Maine Sardine Council under the State Government Evaluation Act. The bill proposed to retroactively repeal the sardine excise tax on February 1, 2000 and terminate the Maine Sardine Council on March 31, 2000. The bill proposed to require the Maine Sardine Council to remit \$5,000 to the State Treasurer to be credited to the marine research fund at the Department of Marine Resources and to require the transfer of the remaining assets as of March 31, 2000 to the 3 packers represented on the Maine Sardine Council according to their share of the total quantity of sardines, kippers, steaks and other canned herring products packed during calendar years 1998 and 1999.

**Committee Amendment "A" (H-963)** proposed to require the State Auditor to perform audit procedures rather than an audit on the financial records of the Maine Sardine Council prior to the dissolution of the council. The amendment proposed to repeal the sardine excise tax on March 1, 2000 rather than February 1, 2000 and to require all accrued net assets of the council as of April 15, 2000 to be transferred as a refund of taxes paid to the 3 packers with representatives on the council as of January 31, 2000. The amendment proposed to strike the provision that would have required the council to remit \$5,000 to the State Treasurer to be credited to the marine research fund.

The amendment proposed to specify that the council shall cease its operations and activities on March 31, 2000 and to repeal the laws establishing the council, effective April 15, 2000.

**House Amendment "A" to Committee Amendment "A" (H-1033)** proposed to provide that the termination of the Maine Sardine Council applies retroactively to March 31, 2000.

***Enacted law summary***

Public Law 1999, chapter 678 implements the recommendations made by the Joint Standing Committee on Marine Resources as a result of the committee's review of the Maine Sardine Council under the State Government Evaluation Act. The law retroactively requires the council to cease its operations and activities on March 31, 2000 and repeals the laws establishing the council, effective April 15, 2000. The

law retroactively repeals the sardine excise tax on March 1, 2000. The law requires all accrued net assets of the council as of April 15, 2000 to be transferred as a refund of taxes paid to the 3 packers with representatives on the council as of January 31, 2000 according to their share of the total quantity of sardines, kippers, steaks and other canned herring products packed during calendar years 1998 and 1999.

Public Law 1999, chapter 678 was enacted as an emergency measure effective April 12, 2000.