

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Marine Resources*

August 2001

Members:

Sen. Kenneth F. Lemont, Chair

Sen. Peggy A. Pendleton

Sen. Betheda G. Edmonds

Rep. David G. Lemoine, Chair

Rep. Paul Volenik

Rep. Ronald E. Usher

Rep. Thomas D. Bull

Rep. Nancy B. Sullivan

Rep. Walter E. Ash, Jr.

Rep. William D. Pinkham

Rep. Deborah K. McNeil

Rep. Howard A. Chick

Rep. Kevin M. Muse

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**120th Legislature
First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees
August 2001**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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*
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 First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

David E. Boulter, Director
Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Marine Resources

department to adopt routine technical rules for the harvest of horseshoe crabs. It also added a fiscal note to the resolve.

Enacted law summary

Resolve 2001, chapter 11 directs the Department of Marine Resources to assess the size of the horseshoe crab resource using volunteer data collectors and to determine whether rules and a system of licensing for the harvest of horseshoe crabs are needed to protect the resource. It also authorizes, but does not require, the department to adopt routine technical rules for the harvest of horseshoe crabs.

LD 327 **An Act Relating to the Scallop Count** **ONTP**

<u>Sponsor(s)</u> SHOREY GOODWIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 327 proposed to establish a uniform standard for scallop counts with a 5% tolerance.

LD 344 **An Act to Extend the Repeal of the Lobster Trap Tag Freeze** **PUBLIC 94**

<u>Sponsor(s)</u> LEMOINE		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-171
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LD 344 proposed to extend the repeal date for the lobster trap tag laws from December 31, 2001 to December 31, 2005.

Committee Amendment "A" (H-171) added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 94 extends the repeal date for the lobster trap tag laws from December 31, 2001 to December 31, 2005.

LD 345 **An Act to Include Whole Scallops in the Shellfish Sanitation Program** **PUBLIC 112**

<u>Sponsor(s)</u> LEMOINE LEMONT		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-204
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Joint Standing Committee on Marine Resources

LD 345 proposed to amend the definition of shellfish to include scallop in any form other than the adductor muscle of a scallop. The purpose of the bill was to allow the emerging market for whole scallops to occur under shellfish sanitation regulations that protect the public health from shellfish contaminated by pollution or marine toxins.

Committee Amendment "A" (H-204) proposed to subject cultured whole scallops to the shellfish sanitation regulations and added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 112 subjects cultured whole scallops to the shellfish sanitation regulations.

LD 355 **An Act to Ban Dragging in Salt Pond Located in the Towns of Blue Hill, Brooklin and Sedgwick** **ONTP**

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

LD 355 proposed to prohibit a person from fishing with a drag in Salt Pond located in the towns of Blue Hill, Brooklin and Sedgwick. It also proposed to require that the Department of Marine Resources submit a report to the Legislature regarding whether the prohibition on dragging in Salt Pond remained necessary or advisable.

LD 365 **An Act to Restore the Passage of Alewives on the St. Croix River** **DIED BETWEEN BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HONEY	ONTP REP	
KILKELLY	OTP-AM REP	
	OTP-AM REP	

LD 365 proposed to require the Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife to ensure by May 1, 2001 that fishways on the Woodland Dam and the Grand Falls Dam, both located on the St. Croix River, were configured or operated in a manner that allowed the passage of alewives.

Committee Amendment "A" (H-433) proposed to remove the emergency provisions and require the Department of Marine Resources and the Department of Inland Fisheries and Wildlife to allow the passage of no more than 90,000 alewives annually at the Woodland Dam and Grand Falls Dam located on the St. Croix River by May 1, 2002. The amendment also proposed to require both departments to report back to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and the joint standing committee of the Legislature having jurisdiction over marine resources matters on December 31, 2003 and every 2 years thereafter regarding the impact the additional alewives have on the upstream ecosystem and fisheries. The amendment proposed to grant the Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife the authority to close the fishway by routine technical rulemaking if the commissioners determined that the fisheries in the St. Croix River were being adversely impacted by anadromous fish utilizing the fishways on the river. The