

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

Enacted law summary

Public Law 2001, chapter 226 continues to capitalize the Lobster Promotion Fund through surcharges on lobster and crab licenses through the year 2005. The amendment also increases the surcharge on each license used to capitalize the fund by 25%.

LD 410 **An Act to Provide Noncommercial Combination Lobster and Scallop Licenses to Persons Over 70 Years of Age** **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCDONOUGH SHOREY	OTP-AM MAJ ONTP MIN	H-392

LD 410 proposed to provide for free licenses to fish for lobster, crab, shellfish or scallops to persons 70 years of age or older provided that they met the requirements of the license to be issued.

Committee Amendment "A" (H-392) proposed to create a noncommercial combination lobster and scallop license for people 70 years of age or older. It would have allowed a license holder to engage in the licensed activities authorized pursuant to a noncommercial lobster and crab fishing license and a noncommercial scallop license. The noncommercial combination lobster and scallop license would have expired on December 31st of each year. The license fee would have been \$10. It also added a fiscal note to the bill.

LD 424 **An Act to Restrict Atlantic Halibut Fishing in State Waters** **ONTP**

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

LD 424 proposed to set restrictions on the taking and possessing of Atlantic halibut. It also proposed to prohibit the taking or possessing of Atlantic halibut that were less than 36 inches in length and set a limit on the number of Atlantic halibut that could be taken in any one day. A violation of the limits would have been a civil violation with a penalty of not less than \$100 nor more than \$500.

LD 425 **An Act to Restrict the Use of Gill Nets** **CARRIED OVER**

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

LD 425 proposes to place certain restrictions on the use of gill nets in Maine's tidal waters.

Joint Standing Committee on Marine Resources

LD 425 has been carried over to the Second Regular Session.

LD 449 An Act to Prevent Damage to Lobsters

PUBLIC 205

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN LEMONT	OTP-AM	H-255

LD 449 proposed to require a lobster trap to have 2 runners that are made out of any material, each 1/4 inch thick and placed on opposite sides of the bottom of the lobster trap.

Committee Amendment "A" (H-255) proposed to require lobster traps to have 2 runners on the bottom of the trap, a second layer of material attached to the bottom of the trap or another device designed to minimize damage to lobster claws and approved by the commissioner. It also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 205 requires lobster traps to have 2 runners on the bottom of the trap, a second layer of material attached to the bottom of the trap or another device designed to minimize damage to lobster claws and approved by the commissioner.

LD 468 An Act to Amend the Lobster Licensing Laws

ONTP

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

LD 468 proposed to allow anyone who had previously held a Class I, Class II or Class III lobster and crab fishing license to obtain the same license.

Committee Amendment "A" (H-395), the minority report, proposed that a person who previously held a lobster and crab fishing license for at least 2 years would be eligible for the same license. It also proposed to add a fiscal note to the bill. This amendment was not adopted.

LD 502 An Act to Limit Nuisance Claims Against Commercial Fishing Operations and Activities

PUBLIC 99

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDTHWAIT ETNIER	OTP-AM	S-68