

# 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*

**Staff:**

*Susan Z. Johannesman, Legislative Analyst*

*Office of Policy and Legal Analysis*

*13 State House Station*

*Augusta, ME 04333*

*(207) 287-1670*



**Maine State Legislature**  
**OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
 Telephone: (207) 287-1670  
 Fax: (207) 287-1275

**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](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:

*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

LD 969

An Act to Permit Intrafamily Transfer of Lobster Tags

ONTP

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

LD 969 proposed to require the Department of Marine Resources to establish by rule provisions for allowing the transfer of lobster trap tags from a grandparent or parent to a grandchild or child.

**LD 973**

An Act to Restrict Daily Sea Urchin Taking

ONTP

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

LD 973 proposed to limit the amount of sea urchins a person could harvest to 25 standard totes per day. The proposed forfeiture for violating the limit was not less than \$500 nor more than \$1,000.

LD 1010

An Act to Manage the Sea Urchin Fishery

PUBLIC 327

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMONT LEMOINE	OTP-AM	S-125

LD 1010 proposed to make changes to the laws regarding the sea urchin fishery. It proposed to allow Sea Urchin Zone Council members to be reimbursed for expenses only. It required the Commissioner of Marine Resources to suspend the sea urchin fishing license for one year from the date of a license holder's conviction for fishing in a closed area. It established a rebuttable presumption that anyone diving from a boat with sea urchins aboard is diving for sea urchins. It required the Commissioner of Marine Resources to establish by rule open days for sea urchin harvesting for Zone 1 and Zone 2 after consultation with the Sea Urchin Zone Council. The bill also proposed to make it unlawful for a person to harvest sea urchins on a day not designated as an open day. It required the Commissioner of Marine Resources to adopt rules to establish conservation areas for the purpose of sea urchin research and made fishing for sea urchins in those areas a violation. It proposed to strike the provision that would repeal Title 12, chapter 623, subchapter II-C, article 3, and made conforming changes in contemplation of the law continuing past 2001. It reduced the surcharge for a sea urchin processor's permit from \$2500 to \$1000. It authorized use of the Sea Urchin Research Fund for reimbursement for travel expenses for Sea Urchin Zone Council members.

**Committee Amendment "A" (S-125)** proposed to incorporate the provisions of L.D. 1682 into the bill. It changed the licensing provisions for sea urchin dragging. Beginning in January 2002, it proposed to license individuals rather than licensing the activities of a boat. Also beginning in January 2002, the amendment proposed