

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

LD 1179 **An Act to Amend the Laws Pertaining to the Taking of Seaweed and Rockweed** **ONTP**

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

LD 1179 proposed to require a holder of a seaweed permit to obtain written permission from the upland landowner prior to harvesting seaweed in the intertidal zone. The bill also proposed to repeal the authority given to the Commissioner of Marine Resources to establish rules regulating the harvesting of seaweed.

Committee Amendment "A" (H-399), the minority report of the Joint Standing Committee on Marine Resources, added an appropriation section and a fiscal note to the bill. This amendment was not adopted.

LD 1189 **Resolve, to Establish the Committee to Study the Feasibility of Establishing a Recreational Saltwater Fishing License** **ONTP**

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

LD 1189 proposed to establish the Committee to Study the Feasibility of Establishing a Recreational Saltwater Fishing License. As part of the proposed study, the committee would have held at least 2 public hearings to seek public input.

LD 1241 **Resolve, to Establish a Moratorium on Aquaculture Leases in Blue Hill Bay** **ONTP**

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

LD 1241 proposed to establish a 4-year moratorium on the issuance of new aquaculture leases in Blue Hill Bay. The resolve also proposed to require the Department of Marine Resources to undertake a study of the effects of aquaculture on the ecosystem of the bay and to hold a public hearing in the area of Blue Hill Bay.

Committee Amendment "A" (H-497), the majority report of the Joint Standing Committee on Marine Resources, proposed to prohibit the Department of Marine Resources from accepting applications for or issuing new finfish aquaculture leases in Blue Hill Bay for 2 years. The amendment also directed the Department of Marine Resources to consider the findings of relevant ecosystem studies of Blue Hill Bay prior to issuing a new finfish aquaculture lease in Blue Hill Bay after the completion of the 2-year moratorium. The amendment also provided that the resolve applied to all proceedings pending on the effective date of the resolve. The amendment did not prohibit the Department of Marine Resources from processing applications that were accepted prior to the effective date of the

Joint Standing Committee on Marine Resources

resolve; however, new leases could not be issued on those applications. The amendment also added an emergency preamble to the resolve and removed the requirement for the Department of Marine Resources to undertake a study of the effects of aquaculture on the ecosystem of the bay. This amendment was not adopted.

LD 1280 **An Act Concerning the Enforcement of Laws Relating to Scalping in Cobscook Bay** **PUBLIC 192**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHOREY GOODWIN	OTP-AM	S-126

LD 1280 proposed to require that all sorting of scallops take place on a vessel that possesses a scallop boat license and not on a shucking or sorting table. It also proposed that a vessel could not possess more than one day's scallop limit unless that vessel had received a waiver from this limitation issued by a marine patrol officer.

Committee Amendment "A" (S-126) replaced the bill. It proposed to set a daily limit and culling requirement for scallops in Cobscook Bay. It set a penalty for violation. It also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 192 sets a daily limit and culling requirements for scallops in Cobscook Bay and sets a penalty for violation.

LD 1309 **An Act to Amend the Laws Pertaining to the Harvest of Adult Eels** **PUBLIC 187**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMONT LEMOINE	OTP-AM	S-127

LD 1309 proposed to remove the limitation on the number of eels an individual may take for personal use.

Committee Amendment "A" (S-127) proposed to direct the Department of Marine Resources to adopt rules establishing a limit on the number of eels that a person may fish for, take, possess or transport. It also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 187 removes the limitation on the number of eels an individual may take for personal use. Chapter 187 also directs the Department of Marine Resources to adopt rules establishing a limit on the number of eels that a person may take.