

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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Maine State Legislature
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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

liable for the activities of any person who fished from the owner's boat. It also made a variety of technical changes to the marine resources laws to reflect the changing of certain license requirements from licensing individuals to licensing boats.

The bill also proposed to repeal limited-entry provisions in the lobster and sea urchin fisheries.

LD 1649

An Act to Establish a Commercial Green Crab Fishing License

**PUBLIC 186
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMONT LEMOINE	OTP-AM	S-128

LD 1649 proposed to establish a new license that allowed an individual to fish for green crabs. Currently, only individuals who possess a lobster and crab fishing license may legally fish for crabs. This bill would have prohibited fishing for green crabs except with gear approved by the Commissioner of Marine Resources. This bill also proposed to establish a dedicated fund into which revenues from the sale of green crab fishing licenses would be deposited.

Committee Amendment "A" (S-128) added an emergency preamble and emergency clause with an effective date of July 1, 2001. It also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 186 establishes a new license that allows an individual to fish for green crabs. It prohibits fishing for green crabs except with gear approved by the Commissioner of Marine Resources and it establishes a dedicated fund into which revenues from the sale of green crab fishing licenses will be deposited. Chapter 186 was enacted as an emergency measure effective July 1, 2001.

LD 1653

An Act Making Technical Changes in the Marine Resources Laws

PUBLIC 272

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMONT LEMOINE	OTP-AM	S-169

LD 1653 proposed to make several technical changes to the marine resources laws.

1. It clarified that the term "coastal waters" means marine waters out to the seaward extent of the exclusive economic zone and provided that the term "territorial waters" means marine waters only out to the 3-nautical-mile line described on United States Government nautical charts.
2. It corrected the descriptions of limitations on lobster fishing areas in the Kittery, Pemaquid and Hancock County areas.

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3. It corrected the description of the Monhegan Lobster Conservation Area.
4. It clarified that fishing for seaweed is not subject to the commercial fishing license.
5. It clarified that marking requirements for ice fishing shacks apply only in the territorial waters.
6. It removed a reference to waters of the State with regard to the limitations on how striped bass are caught and with regard to personal use of striped bass.
7. It clarified that limitations on the use of trawls in Washington County apply only to the territorial waters adjacent to Washington County.
8. It clarified that the requirement to identify spawning areas for groundfish applies only in the territorial waters.
9. It clarified that limitations on the taking of eels apply only in the territorial waters.
10. It clarified that limitations on the taking of scallops apply only in the territorial waters.
11. It clarified that requirements for specific ring sizes for scallop drags apply only in the territorial waters.
12. It clarified that drag size limits for scallop drags apply only in the territorial waters.
13. It clarified that the limitations on fishing in Cobscook Bay apply only to the territorial waters.
14. It clarified that limitations on dragging in Taunton Bay apply only in the territorial waters.

Committee Amendment "A" (S-169) proposed to provide that until January 30, 2008, a person may have up to 6 lobster traps on a trawl within a specified area of Saco Bay. The amendment also deleted a reference to having more than 10 lobster traps "on one warp and buoy" in waters in the vicinity of Kittery. The amendment also required each trawl set in waters in the vicinity of Kittery to be marked with a buoy on both ends of the trawl. The amendment also corrected an error in a latitude reference.

The amendment also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 272 makes several technical changes to the marine resources laws. It clarifies that the term "coastal waters" means marine waters out to the seaward extent of the exclusive economic zone and provides that the term "territorial waters" means marine waters only out to the 3-nautical-mile line described on United States Government nautical charts. It also applies those definitions to certain statutes. Chapter 272 corrects the description of the Monhegan Lobster Conservation Area and it clarifies that fishing for seaweed is not subject to the commercial fishing license. It provides that until January 30, 2008, a person may have up to 6 lobster traps on a trawl within a specified area of Saco Bay and it deletes a reference to having more than 10 lobster traps "on one warp and buoy" in waters in the vicinity of Kittery. It also requires each trawl set in waters in the vicinity of Kittery to be marked with a buoy on both ends of the trawl.