

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Marine Resources*

*May 2002*

**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*

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*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**  
**Second Regular Session**

**Summary Of Legislation Before The Joint Standing Committees**  
**May 2002**

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 arranged alphabetically by committee name 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:

|  |   |
|--|---|
| 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                              |
| PASSED                                   | Joint Order passed in both bodies                                       |
| 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 Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

**Patrick T. Norton, Interim Director**  
**Offices located in Room 215 of the Cross Office Building**

## Joint Standing Committee on Marine Resources

**LD 1996**

### **An Act to Establish Educational Requirements for Granting Noncommercial Lobster Licenses**

**PUBLIC 581**

|  |                                   |                                    |
|--|-----------------------------------|------------------------------------|
| <u>Sponsor(s)</u><br>ETNIER<br>EDMONDS | <u>Committee Report</u><br>OTP-AM | <u>Amendments Adopted</u><br>H-935 |
|--|-----------------------------------|------------------------------------|

LD 1996 proposed to direct the Commissioner of Marine Resources to establish an educational program for training applicants for noncommercial and crab fishing licenses and to require that, beginning in 2003, applicants for noncommercial lobster and crab fishing licenses successfully complete the course and pass a written test. Under this bill, a surcharge would be collected from persons taking the course sufficient to cover the costs to the department in providing the program. Surcharges collected would be deposited in the Lobster Management Fund.

**Committee Amendment "A" (H-935)** proposed to require that, beginning in 2003, applicants for noncommercial lobster and crab fishing licenses successfully complete a written examination if the applicant has not either previously passed the examination or previously held a commercial lobster license. It also required the Department of Marine Resources to provide to each applicant a pamphlet of all the laws and rules relating to a noncommercial lobster and crab fishing license. Under this amendment, a surcharge would be collected from persons taking the written examination sufficient to cover the costs to the department of producing the pamphlet and producing and grading the examinations. Surcharges collected would be deposited in the Lobster Management Fund. It also added a fiscal note to the bill.

#### ***Enacted law summary***

Public Law 2001, chapter 581 requires that, beginning in 2003, applicants for noncommercial lobster and crab fishing licenses successfully complete a written examination if the applicant has not either previously passed the examination or previously held a commercial lobster license. It also requires the Department of Marine Resources to provide to each applicant a pamphlet of all the laws and rules relating to a noncommercial lobster and crab fishing license. A surcharge will be collected from persons taking the written examination sufficient to cover the costs to the department of producing the pamphlet and producing and grading the examinations. Surcharges collected will be deposited in the Lobster Management Fund.

**LD 2118**

### **An Act to Implement the Recommendations of the Committee to Study the Loss of Commercial Fishing Waterfront Access and Other Economic Development Issues Affecting Commercial Fishing**

**PUBLIC 595**

|                   |                                   |                                    |
|-------------------|-----------------------------------|------------------------------------|
| <u>Sponsor(s)</u> | <u>Committee Report</u><br>OTP-AM | <u>Amendments Adopted</u><br>H-934 |
|-------------------|-----------------------------------|------------------------------------|

LD 2118 proposed to implement some of the recommendations of the Committee to Study the Loss of Commercial Fishing Waterfront Access and Other Economic Development Issues Affecting Commercial Fishing. It proposed to direct the Executive Department, State Planning Office to review the structure and effectiveness of coastal management in Maine; create a working group of state agencies that deal with water-access issues; and direct the Department of Marine Resources to study the value of creating a seafood innovation, marketing and research fund.