

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Marine Resources*

July 2003

Members:

Sen. Dennis Damon, Chair

Sen. Peggy A. Pendleton

Sen. Richard Bennett

Rep. Thomas D. Bull, Chair

Rep. Nancy B. Sullivan

Rep. Walter E. Ash, Jr.

Rep. Edward R. Dugay

Rep. Leila J. Percy

Rep. Kevin M. Muse

Rep. Deborah K. McNeil

Rep. Jeff Kaelin

Rep. Leonard Earl Bierman

Rep. Frederick J. Moore III

Staff:

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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).

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:

<i>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Marine Resources

3. Establish the procedure that would be followed by a person appealing to the Lobster License Appeal Committee and by the committee, including the meeting dates, notice to the appellant and the standard of proof that would be met by the appellant.
4. Require the Commissioner of Marine Resources to make a final determination regarding the recommendation of the Lobster License Appeal Committee within 72 hours of notice of the decision of the committee.
5. Specify that meetings of the Lobster License Appeal Committee were not public meetings. (Not adopted)

House Amendment "B" to Committee Amendment "A" (H-344) proposed to change the eligibility for a successful appeal to require that the person had served at least 6 years in the military and maintained the lobster and crab fishing license for at least 4 years or 50% of the time spent in the military, whichever was shorter. (Not adopted)

Current law allows a person who was prevented from renewing that person's Class I, Class II or Class III lobster and crab fishing license due to service in the military to obtain a license upon appeal to the Commissioner of Marine Resources. A person who serves more than 6 years in the military is not eligible to appeal.

LD 364

An Act To Provide Funding for the Downeast Institute for Applied Marine Research and Education

P & S 29

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KAELIN	OTP-AM MAJ	H-33
DAMON	ONTP MIN	S-294 CATHCART

LD 364 proposed to appropriate \$15,000 to the Department of Marine Resources in each of fiscal years 2003-04 and 2004-05 for the establishment of a grant to the Maine Aquaculture Innovation Center for operating costs at the Downeast Institute for Applied Marine Research and Education, formerly the Beals Island Regional Shellfish Hatchery.

Committee Amendment "A" (H-33) is the majority report, proposed to provide the grant directly to the Downeast Institute for Applied Marine Research and Education.

Senate Amendment "A" to Committee Amendment "A" (S-294) proposed to clarify that the appropriations provided in Committee Amendment "A" were intended to be one-time appropriations for the 2004-2005 fiscal biennium.

Enacted Law Summary

Private and Special Law 2003, chapter 29 appropriates \$15,000 to the Maine Aquaculture Innovation Center for operating costs at the Downeast Institute for Applied Marine Research and Education, formerly the Beals Island Regional Shellfish Hatchery, for the 2004-2005 fiscal biennium.