

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*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:

Curtis C. Bentley, 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 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

LD 1451

An Act To Manage the Sea Urchin Fishery

**PUBLIC 200
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON BULL	OTP-AM	S-99

LD 1451 proposed to make it a Class D crime to possess small sea urchins and would establish a minimum fine of \$500 for a first offense and \$1,000 for a 2nd offense and a mandatory one-year suspension for a 3rd or subsequent offense. It proposed to expand the allowable uses of the Sea Urchin Research Fund to include safety education and training and the implementation of management measures, following consultation by the Commissioner of Marine Resources with the Sea Urchin Zone Council. It also proposed to allow the Commissioner of Marine Resources to prohibit new entry into the urchin fishery in years when it is necessary to protect the fishery from imminent depletion.

Committee Amendment "A" (S-99) proposed to add an emergency preamble and clause to the bill and would replace section 2 of the bill with language that would authorize the Commissioner of Marine Resources to adopt rules regarding the culling requirements for sea urchins harvested under a hand-fishing license in Zone 1. It proposed to impose minimum fines for violations of sea urchin harvesting requirements. Additionally, it proposed to require the Department of Marine Resources to report to the Joint Standing Committee of Marine Resources on the status of the implementation of the proposed requirements no later than January 1, 2005.

Enacted Law Summary

Public Law 2003, chapter 200 requires the Commissioner of Marine Resources to suspend, for at least 1 year and up to 3 years, the sea urchin fishing license of any license holder convicted of a 3rd or subsequent offense of possessing sea urchins smaller than the minimum size. It also authorizes the commissioner to adopt rules regarding the culling requirements for sea urchins harvested under a hand-fishing license in Zone 1. Additionally, it allows the commissioner to adopt rules to establish a sea urchin limited entry system to prevent new entries into the fishery when it is necessary to protect the urchin fishery for imminent depletion. Public Law 2003, chapter 200 expands the allowable uses of the Sea Urchin Research Fund to include safety education and training and the implementation of management measures, following consultation by the Commissioner of Marine Resources with the Sea Urchin Zone Council. Finally, it requires the department to report back to the Joint Standing Committee of Marine Resources on the status of the implementation of these new requirements no later than January 1, 2005.

Public Law 2003, chapter 200 was enacted as an emergency measure effective May 16, 2003.