

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

*Second Regular Session and
Second Special Session*

Bill Summaries

*Joint Standing Committee
on
Marine Resources*

May 2004

Members:

Sen. Dennis Damon, Chair

Sen. Peggy A. Pendleton

Sen. Richard A. 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. Christopher Rector

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
Second Regular Session and
Second Special 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/billsumm.htm).

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
- 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 that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

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

Joint Standing Committee on Marine Resources

LD 1905 **An Act To Establish Reciprocity in Laws Governing the** **ONTP**
Transportation of Lobsters by Nonresidents

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

LD 1905 proposed to allow a person who possesses both a valid out-of-state license to harvest lobster and a wholesale seafood license issued under Maine law to transport lobster, by vehicle or by boat, into the State from outside the state limits. This provision would only apply if the state in which the person resided provided a reciprocal transporting privilege to Maine residents and imposed minimum size restrictions on lobster that were equivalent to those imposed under Maine law.

LD 1954 **An Act To Create a Nonresident Lobster and Crab Fishing License** **INDEF PP**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
BULL				

LD 1954 proposed to create a nonresident commercial lobster and crab fishing license. This bill was not referenced to committee.

LD 1955 **Resolve, Directing the Commissioner of Marine Resources To** **RESOLVE 139**
Review the Licensing Requirements for the Harvest of Certain
Marine Resources

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
		OTP		S-494

LD 1955 would have directed the Commissioner of Marine Resources to review the issues concerning the issuance of nonresident lobster licenses.

Senate Amendment "A" (S-494) proposed to replace the resolve and change the title. It proposed to required the Commissioner of Marine Resources to review the licensing requirements for the harvest of certain marine resources and to submit the commissioner's report and any recommendations to the joint standing committee of the Legislature having jurisdiction over marine resources matters no later than January 3, 2005. The amendment also proposed to authorize the commissioner to submit a bill related to the report to the First Regular Session of the 122nd Legislature.

Joint Standing Committee on Marine Resources

Enacted Law Summary

Resolve 2003, chapter 139 requires the Commissioner of Marine Resources to review the licensing requirements for the harvest of certain marine resources and to submit the commissioner's report and any recommendations to the joint standing committee of the Legislature having jurisdiction over marine resources matters no later than January 3, 2005. It also authorizes the commissioner to submit a bill related to the report to the First Regular Session of the 122nd Legislature.