

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Marine Resources*

*July 2006*

**Members:**

*Sen. Dennis S. Damon, Chair  
Sen. Nancy B. Sullivan  
Sen. Mary Black Andrews*

*Rep. Leila J. Percy, Chair  
Rep. Walter E. Ash, Jr.  
Rep. Herbert Adams  
Rep. Edward R. Dugay*

*Rep. Jeff Kaelin  
Rep. H. Stedman Seavey, Jr.  
Rep. Philip A. Cressey, Jr.  
Rep. Kenneth C. Fletcher  
Rep. Harold Ian Emery  
Rep. John Eder*

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# Maine State Legislature



## Office of Policy and Legal Analysis Office of Fiscal and Program Review

### 122nd Maine Legislature Second 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 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](http://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 (Pocket Veto).....	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 August 23, 2006.

*Joint Standing Committee on Marine Resources*

**LD 1764**

**An Act To Amend the Statutes Governing the Commercial Fishing Safety Council**

**PUBLIC 505**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON	OTP-AM MAJ	S-467
PERCY	ONTP MIN	

LD 1764 proposed to make several changes to the Commercial Fishing Safety Council as requested by that council. It would also give the Commissioner of Marine Resources the authority to initiate rulemaking in order to adopt commercial fishing vessel safety regulations that have been proposed to the department by the safety council.

**Committee Amendment "A" (S-467)** proposed to clarify language regarding the contents of the commercial fishing safety plan and would require the Commissioner of Marine Resources and the Commercial Fishing Safety Council to jointly report to the Joint Standing Committee on Marine Resources by January 2, 2007 regarding any rule-making activity conducted pursuant to the Maine Revised Statutes, Title 12, section 6176.

***Enacted law summary***

Public Law 2005, chapter 505 makes the following changes to the Commercial Fishing Safety Council:

1. It changes the person responsible for making appointments to the council from the Governor to the Commissioner of Marine Resources;
2. It removes the requirement that 5 members of the council represent different commercial marine harvesting sectors to allow the appointment of more than one council member from the same sector;
3. It requires the Commercial Fishing Safety Council submit a commercial safety fishing plan to the Commissioner of Marine Resources by October 1<sup>st</sup> of each year and authorizes the commissioner to adopt commercial fishing safety rules recommended by the council.. Prior to Public Law 2005, chapter 505, the Commissioner of Marine Resources was required to submit such a plan to the Commercial Fishing Safety Council; and
4. It requires the Commissioner of Marine Resources and the Commercial Fishing Safety Council to jointly report to the Joint Standing Committee on Marine Resources by January 2, 2007 regarding any rule making activities pursuant to the Maine Revised Statutes, Title 12, section 6176.