

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON MARINE RESOURCES**

July 2007

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# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

FIRST REGULAR SESSION

## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	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 non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

*Joint Standing Committee on Marine Resources*

**LD 509 An Act To Amend Laws Pertaining to Entry into the Lobster Fishery**

**PUBLIC 204**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAZUREK	OTP-AM MAJ OTP-AM MIN	H-255

LD 509 makes the following changes to the laws governing entry into the lobster fishery.

1. It makes 17 the youngest age at which one can obtain a Class I, II or III commercial lobster and crab fishing license.
2. It creates a new lobster management policy council authority that would allow a zone to consider whether or not to create a separate waiting list for young people's entry into that zone.
3. It changes the method for calculating a zone's exit-to-entry ratio from lobster licenses not renewed to trap tags retired in the previous year.

**Committee Amendment "A" (H-255)**

This committee amendment is the majority report and provides that a person that lives year-round on an island that is not connected to the mainland is not required to go on the waiting list proposed in the bill for people under 18 years of age.

**Committee Amendment "B" (H-256)**

This committee amendment is the minority report and provides that a person who lives year-round on an island or in lobster fishing Zone A is not required to go on to the waiting list proposed in the bill for people under 18 years of age.

**Enacted Law Summary**

Public Law 2007, chapter 204 makes the following changes to the laws governing entry into the lobster fishery:

1. It makes 17 the youngest age at which one can obtain a Class I, II or III commercial lobster and crab fishing license;
2. It creates a new lobster management policy council authority that would allow a zone to consider whether or not to create a separate waiting list for young people's entry into that zone; and
3. It changes the method for calculating a zone's exit-to-entry ratio from lobster licenses not renewed to trap tags retired in the previous year.

Public Law 2007, chapter 204 also provides that a person that lives year-round on an island that is not connected to the mainland is not required to go on the waiting list for people under 18 years of age.

**LD 554 An Act To Amend the Shellfish Laws**

**PUBLIC 54**

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

## *Joint Standing Committee on Marine Resources*

LD 554 makes the following changes to Maine's shellfish laws:

1. It reduces the amount of shellstock an individual may harvest per day for personal use from 1/2 bushel to one peck;
2. It prevents persons who have had their shellfish harvesting license suspended from being able to harvest for personal use; and
3. It creates a new surf clam boat license, which allows vessels engaged in harvesting surf clams to obtain one license that covers all crew members.

### **Enacted Law Summary**

Public Law 2007, chapter 54 makes the following changes to Maine's shellfish laws:

1. It reduces the amount of shellstock an individual may harvest per day for personal use from 1/2 bushel to one peck;
2. It prevents persons who have had their shellfish harvesting license suspended from being able to harvest for personal use; and
3. It creates a new surf clam boat license, which allows vessels engaged in harvesting surf clams to obtain one license that covers all crew members.

### **LD 586      An Act To Simplify Notification Procedures for Water Quality Changes**

**ONTP**

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

This bill requires the Commissioner of Marine Resources to promptly notify interested parties when the commissioner has determined that the water quality has changed to a level that affects the status of an area or waters. Notification must include use of an online notification system, including notifying interested parties through electronic mail and posting a notice on the department's publicly accessible website.

### **LD 621      Resolve, To Establish a Lobster Trap Tag Transfer Program**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE SNOWE-MELLO	ONTP	

LD 621 requires the Commissioner of Marine Resources to establish a lobster trap tag transfer program that allows the holder of lobster trap tags to sell or otherwise transfer any number of that person's lobster trap tags to another person who holds a valid lobster and crab fishing license. It provides that the program must include a cap on the number of trap tags at no more than 2006 levels and a \$5 transfer fee. Revenues raised under this program must be used to fund lobster restocking or for other comparable conservation measures. LD 621 directs the Commissioner of Marine Resources to submit the draft lobster trap tag transfer program and draft legislation to implement the program to the Joint Standing Committee on Marine Resources by January 11, 2008.