

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON MARINE RESOURCES

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STATE OF MAINE

123RD 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 123rd 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

harvesting northeast multispecies fish.

This bill was carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.

LD 1594 An Act To Amend the Laws Governing Closed Periods for the Hauling of Lobster Traps CARRIED OVER

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

LD 1594 changes the closed period for hauling lobster traps from June 1st through October 31st to June 1st through August 31st.

This bill was carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.

LD 1595 An Act To Ensure the Proper Management of the Sea Urchin Industry PUBLIC 176

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EMERY	OTP-AM	H-191

LD 1595 is a concept draft pursuant to Joint Rule 208.

LD 1595 proposes to amend the current law to change the Sea Urchin Zone Council from an advisory council role to give it authority to move forward to create a stronger role in the decision-making process and management of the sea urchin industry. It proposes to add the chair of the Sea Urchin Zone Council to the Marine Resources Advisory Council. It also proposes to change the appointment of members on the Sea Urchin Zone Council so that the members in the fishing industry are elected to the council and the members not from the fishing industry are appointed to the council by the Department of Marine Resources. It also proposes to have the council work with the Commissioner of Marine Resources to change the number of council members.

Enacted Law Summary

Public Law 2007, chapter 176 adds the chair of the Sea Urchin Zone Council to the Marine Resources Advisory Council and changes the makeup of the Sea Urchin Zone Council. It also reduces the number of Sea Urchin Zone Council members from 19 to 15 and provides that 7 members are to be elected by the sea urchin industry and 8 appointed by the Commissioner of Marine Resources.

LD 1769 Resolve, Regarding Legislative Review of Portions of Chapter 11.15: Scallop Conservation Areas, Beals-Jonesport, a Major Substantive Rule of the Department of Marine Resources RESOLVE 28 EMERGENCY

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

LD 1769 provides for legislative review of portions of Chapter 11.15: Scallop Conservation Areas, Beals-Jonesport, a major substantive rule of the Department of Marine Resources.

Joint Standing Committee on Marine Resources

Enacted Law Summary

Resolve 2007, chapter 28 provides for the adoption of portions of Chapter 11.15: Scallop Conservation Areas, Beals-Jonesport, a major substantive rule of the Department of Marine Resources. The rules close two small areas of state waters to all diver and mobile gear fishing in Moosebec Reach for a period of 3 years to conduct a scallop enhancement and re-colonization experiment.

Resolve 2007, chapter 28 was an emergency measure effective May 18, 2007.

LD 1811 An Act To Create a Saltwater Recreational Fishing License

INDEF PP

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

LD 1811 establishes a saltwater recreational fishing license, dedicates the fees from licensing to the Marine Recreation Fishing Conservation and Management Fund and gives the Commissioner of Marine Resources authority to make expenditures from the fund for purposes such as fisheries management research and education and outreach.

Committee Amendment "A" (H-363)

This committee amendment is the majority report and replaces the bill. It requires the Commissioner of Marine Resources to develop and determine how to implement a saltwater recreational fishing license, permit or registry for the coastal waters of the State that will exempt saltwater recreational anglers and charter boat fishing vessels from the federal registration program established in the reauthorized federal Magnuson-Stevens Fisheries Conservation and Management Act. This committee amendment requires the commissioner to report the commissioner's findings, recommendations and any implementing legislation to the Joint Standing Committee on Marine Resources by no later than January 15, 2008. It also authorizes the Joint Standing Committee on Marine Resources to submit legislation related to that report to the Second Regular Session of the 123rd Legislature.

Committee Amendment "B" (H-364)

This committee amendment is the minority report and replaces the bill. It requires the Commissioner of Marine Resources to develop and determine how to implement a saltwater recreational fishing license, permit or registry for the coastal waters of the State that will exempt saltwater recreational anglers and charter boat fishing vessels from the federal registration program established in the reauthorized federal Magnuson-Stevens Fisheries Conservation and Management Act. This committee amendment also requires the commissioner to report the commissioner's findings, recommendations and any implementing legislation to the joint standing committee of the Legislature having jurisdiction over marine resources matters by no later than January 15, 2009. It authorizes the joint standing committee to submit legislation related to that report to the First Regular Session of the 124th Legislature.

LD 1870 An Act To Provide Flexibility within the Monhegan Lobster Conservation Area and To Strengthen the Eligibility Requirements for a Student Lobster Fishing License

PUBLIC 219
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERCY DAMON	OTP-AM	H-279