

# 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**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during  
the First Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON MARINE RESOURCES**

July 2009

**STAFF:**

CURTIS C. BENTLEY, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

**MEMBERS:**

SEN. DENNIS S. DAMON, CHAIR  
SEN. NANCY B. SULLIVAN  
SEN. CHRISTOPHER W. RECTOR

REP. LEILA J. PERCY, CHAIR  
REP. HERBERT C. ADAMS  
REP. PEGGY A. PENDLETON  
REP. ROBERT N. EATON  
REP. W. BRUCE MACDONALD  
REP. CHARLES B. KRUGER  
REP. WINDOL C. WEAVER  
REP. JONATHAN B. MCKANE  
REP. KERRI L. PRESCOTT  
REP. DIANNE TILTON

# STATE OF MAINE

124<sup>TH</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 124<sup>th</sup> Maine Legislature.

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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. 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 141 An Act To Allow a Person 65 Years of Age or Older To Obtain a Lobster License without Completing the Apprentice Program

ONTP

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

LD 141 allows a person 65 years of age or older who previously held a Class I, Class II or Class III lobster and crab fishing license to be issued a Class I, Class II or Class III lobster and crab fishing license without completing the apprentice program. It limits the number of traps such a license holder may submerge to 300 traps.

## LD 151 An Act To Amend the Alewife Fishing Laws

PUBLIC 17

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

LD 151 makes the following changes to the alewife fishing laws.

1. It removes a reference to January 1, 1974 so that municipal rights that were created at any point in time are subject to lapse after 3 consecutive years if they are not exercised.
2. It extends the prohibition on taking alewives, which is currently from 6 a.m. Saturday to 6 a.m. Sunday, to from 6 a.m. Thursday to 6 a.m. Sunday.
3. It clarifies that the Commissioner of Marine Resources may lease rights in any municipality where the municipality does not have those rights, not just those where municipal rights have existed in the past.
4. It expands the uses of the Migratory Fish Fund to include management measures necessary to maintain or enhance alewife populations or populations of other migratory fish.

### Enacted Law Summary

Public Law 2009, chapter 17 makes the following changes to the alewife fishing laws.

1. It removes a reference to January 1, 1974 so that municipal rights that were created at any point in time are subject to lapse after 3 consecutive years if they are not exercised.
2. It extends the prohibition on taking alewives, which is currently from 6 a.m. Saturday to 6 a.m. Sunday, to from 6 a.m. Thursday to 6 a.m. Sunday.
3. It clarifies that the Commissioner of Marine Resources may lease rights in any municipality where the municipality does not have those rights, not just those where municipal rights have existed in the past.
4. It expands the uses of the Migratory Fish Fund to include management measures necessary to maintain or enhance alewife populations or populations of other migratory fish.