

Joint Standing Committee on Marine Resources

LD 15 **An Act to Allow Persons Completing the Lobster Apprentice Program Admission to Limited-entry Zones** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PINKHAM SHOREY | ONTP | |

LD 15 proposed to provide an exemption from the law that limits the number of new zone entrants to a limited-entry lobster fishing zone to a number equal to an exit ratio established by rule by the Commissioner of Marine Resources. The proposed exemption would have provided that persons who completed the apprentice program and who declared a limited-entry zone as their declared lobster zone would not have been counted for the purposes of the exit ratio or number of new zone entrants authorized for that zone.

LD 115 **An Act to Change the Noncommercial Scallop Diving Season** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|--------------------------------|---------------------------|
| DAIGLE KILKELLY | ONTP MAJ OTP-AM MIN | |

LD 115 proposed to change the beginning of the noncommercial scallop diving season to November 1st.

Committee Amendment "A" (H-393) proposed to replace the original bill. The amendment provided that noncommercial scallop divers could, in addition to taking scallops from December 1st to April 15th, take scallops from November 1st to November 15th. During the period November 1st to November 15th, scallops taken could not measure less than 4 1/2 inches and a person taking scallops could not take more than one bushel of shell scallops or 2 quarts of shucked scallops in any one day. It also added a fiscal note to the bill. This amendment was not adopted.

LD 156 **An Act to Limit Lobster Management Zones to State Coastal Waters** **DIED IN CONCURRENCE**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|---------------------------------|---------------------------|
| HONEY SAVAGE C | ONTP MAJ OTP MIN | |

LD 156 proposed to limit lobster management zones to within 3 nautical miles of the coastline of the State and clarified how rules adopted for lobster management zones would apply when the zones were limited to 3 nautical miles from the coastline of the State. Under the proposal, a lobster license holder would not have been required to fish a majority of that person's traps within the license holder's declared lobster zone when fishing beyond 3 nautical miles.

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LD 281

An Act to Clarify Where a Public Hearing Involving Dredging Activity by the Department of Marine Resources Must be Held

PUBLIC 248

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| ETNIER | OTP-AM MAJ ONTP MIN | H-398 |

LD 281 proposed to remove the requirement for the Commissioner of Marine Resources to hold a public hearing on a proposed dredging operation. It also proposed that, if a public hearing was held on a proposed dredging operation, the hearing must have been held within at least one of the municipalities where the dredging would have taken place. It also required the Commissioner of Marine Resources to consider the potential impacts of the dredging on fishing when deciding whether or not to hold a hearing.

Committee Amendment "A" (H-398) replaced the bill. It proposed to remove from current law the requirement for the Commissioner of Marine Resources to hold a public hearing on a proposed dredging operation. If a hearing was not to be held, the amendment required the commissioner to publish a notice in a newspaper of general circulation that if 5 or more persons requested a hearing one would be held. The notice must also have stated that verbal and written comments would be accepted in lieu of the hearing. The amendment also proposed to require that if a public hearing was held it must have been held within at least one of the municipalities where the dredging would take place. The amendment also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 248 removes from current law the requirement for the Commissioner of Marine Resources to hold a public hearing on a proposed dredging operation. If a hearing is not to be held, Chapter 248 requires the commissioner to publish a notice in a newspaper of general circulation that if 5 or more persons request a hearing one will be held. The notice must also state that verbal and written comments will be accepted in lieu of the hearing.

LD 308

Resolve, to Regulate the Harvesting of Horseshoe Crabs

RESOLVE 11

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HALL KILKELLY | OTP-AM | H-158 |

LD 308 proposed to direct the Department of Marine Resources to study the size and sustainable level of the harvest of the horseshoe crab resource. The bill also directed the department to establish rules and a system of licensing for the harvest of horseshoe crabs by October 1, 2002.

Committee Amendment "A" (H-158) proposed to direct the Department of Marine Resources to assess the size of the horseshoe crab resource using volunteer data collectors and to determine whether rules and a system of licensing for the harvest of horseshoe crabs are needed to protect the resource. It also authorized, but did not require, the

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department to adopt routine technical rules for the harvest of horseshoe crabs. It also added a fiscal note to the resolve.

Enacted law summary

Resolve 2001, chapter 11 directs the Department of Marine Resources to assess the size of the horseshoe crab resource using volunteer data collectors and to determine whether rules and a system of licensing for the harvest of horseshoe crabs are needed to protect the resource. It also authorizes, but does not require, the department to adopt routine technical rules for the harvest of horseshoe crabs.

LD 327 **An Act Relating to the Scallop Count** **ONTP**

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| <u>Sponsor(s)</u> SHOREY GOODWIN | | <u>Committee Report</u> ONTP | | <u>Amendments Adopted</u> |
|--|--|---------------------------------|--|---------------------------|

LD 327 proposed to establish a uniform standard for scallop counts with a 5% tolerance.

LD 344 **An Act to Extend the Repeal of the Lobster Trap Tag Freeze** **PUBLIC 94**

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|------------------------------|--|-----------------------------------|--|------------------------------------|
| <u>Sponsor(s)</u> LEMOINE | | <u>Committee Report</u> OTP-AM | | <u>Amendments Adopted</u> H-171 |
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LD 344 proposed to extend the repeal date for the lobster trap tag laws from December 31, 2001 to December 31, 2005.

Committee Amendment "A" (H-171) added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 94 extends the repeal date for the lobster trap tag laws from December 31, 2001 to December 31, 2005.

LD 345 **An Act to Include Whole Scallops in the Shellfish Sanitation Program** **PUBLIC 112**

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|--|--|-----------------------------------|--|------------------------------------|
| <u>Sponsor(s)</u> LEMOINE LEMONT | | <u>Committee Report</u> OTP-AM | | <u>Amendments Adopted</u> H-204 |
|--|--|-----------------------------------|--|------------------------------------|

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LD 345 proposed to amend the definition of shellfish to include scallop in any form other than the adductor muscle of a scallop. The purpose of the bill was to allow the emerging market for whole scallops to occur under shellfish sanitation regulations that protect the public health from shellfish contaminated by pollution or marine toxins.

Committee Amendment "A" (H-204) proposed to subject cultured whole scallops to the shellfish sanitation regulations and added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 112 subjects cultured whole scallops to the shellfish sanitation regulations.

LD 355 **An Act to Ban Dragging in Salt Pond Located in the Towns of Blue Hill, Brooklin and Sedgwick** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| VOLENIK | ONTP | |

LD 355 proposed to prohibit a person from fishing with a drag in Salt Pond located in the towns of Blue Hill, Brooklin and Sedgwick. It also proposed to require that the Department of Marine Resources submit a report to the Legislature regarding whether the prohibition on dragging in Salt Pond remained necessary or advisable.

LD 365 **An Act to Restore the Passage of Alewives on the St. Croix River** **DIED BETWEEN BODIES**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HONEY | ONTP REP | |
| KILKELLY | OTP-AM REP | |
| | OTP-AM REP | |

LD 365 proposed to require the Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife to ensure by May 1, 2001 that fishways on the Woodland Dam and the Grand Falls Dam, both located on the St. Croix River, were configured or operated in a manner that allowed the passage of alewives.

Committee Amendment "A" (H-433) proposed to remove the emergency provisions and require the Department of Marine Resources and the Department of Inland Fisheries and Wildlife to allow the passage of no more than 90,000 alewives annually at the Woodland Dam and Grand Falls Dam located on the St. Croix River by May 1, 2002. The amendment also proposed to require both departments to report back to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and the joint standing committee of the Legislature having jurisdiction over marine resources matters on December 31, 2003 and every 2 years thereafter regarding the impact the additional alewives have on the upstream ecosystem and fisheries. The amendment proposed to grant the Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife the authority to close the fishway by routine technical rulemaking if the commissioners determined that the fisheries in the St. Croix River were being adversely impacted by anadromous fish utilizing the fishways on the river. The

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amendment proposed to require the commissioners to report back to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters and the joint standing committee of the Legislature having jurisdiction over marine resources matters within 90 days of the closure of a fishway on the St. Croix River. It also proposed to add a fiscal note to the bill.

Committee Amendment "B" (H-434), a minority report, proposed to require the Legislative Council, in consultation with the chairs of both the Joint Standing Committee on Inland Fisheries and Wildlife and the Joint Standing Committee on Marine Resources and upon recommendation of the Office of Policy and Legal Analysis, to hire an independent consultant to study the biological and economic issues surrounding the proposed passage of alewives at the Woodland Dam and Grand Falls Dam fishways. The resolve proposed to direct the consultant to work under the auspices of the Office of Policy and Legal Analysis in consultation with numerous interested governmental and private organizations and to report back to the Joint Standing Committee on Inland Fisheries and Wildlife and the Joint Standing Committee on Marine Resources no later than January 1, 2002. The resolve also proposed to appropriate \$50,000 from the General Fund to carry out the purposes of this resolve. The amendment also proposed to add an appropriation section and a fiscal note to the bill

House Amendment "A" (H-495) proposed that, by May 1, 2002, the Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife would ensure that fishways on the Woodland Dam on the St. Croix River were configured or operated in a manner that allowed the passage of no more than 5,000 alewives per year. It also proposed to require the commissioners to ensure that fishways on the Grand Falls Dam on the St. Croix River were configured or operated in a manner that prevented the passage of alewives.

LD 366

An Act to Revise Maine Laws Governing Aquaculture

PUBLIC 122

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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| SKOGLUND PENDLETON | OTP-AM | H-157 |

LD 366 proposed to require the Commissioner of Marine Resources to notify the owners of land that is located within 1,000 feet of the proposed location for an aquaculture lease of any application and notice of hearing for that lease as well as the municipal officers of the affected municipality.

Committee Amendment "A" (H-157) proposed to require the applicant to provide the required notice instead of the commissioner. This amendment also required the applicant to provide proof of access to the lease area and, if access would be across riparian land, the applicant would have been required to provide written permission of the riparian owners whose land would have been used to access the lease area. This amendment also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 122 requires an applicant for a limited-purpose aquaculture lease to notify certain riparian owners of the submittal of an application and notice of hearing for that lease. Chapter 122 also requires the applicant to provide proof of access to the lease area and, if access will be across riparian land, the applicant must provide written permission of the riparian owners whose land will be used to access the lease area.

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LD 379

**An Act to Amend the Lobster Fishing Owner and Operator Laws
to Allow Limited Charter Vessel Operation**

**PUBLIC 195
EMERGENCY**

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| <u>Sponsor(s)</u> ETNIER | | <u>Committee Report</u> OTP-AM | | <u>Amendments Adopted</u> H-254 |
|-----------------------------|--|-----------------------------------|--|------------------------------------|

LD 379 proposed to allow a person who is licensed by the United States Coast Guard to operate a passenger-carrying vessel that is documented, licensed and inspected by the Coast Guard to fish for or take lobster when the owner or family member is not on board of the vessel. It also proposed to require the owner to notify the commission in writing annually prior to the vessel being used to fish for or take lobsters.

Committee Amendment "A" (H-254) proposed to add a requirement that by June 30, 2001 the owner of the vessel must document that the vessel was used to fish for lobster with paying passengers on board in 1995, 1996 and 1997. It also allowed a person authorized under the paragraph to fish for lobster with a replacement vessel. It also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 195 allows a person who is licensed by the United States Coast Guard to operate a passenger-carrying vessel that is documented, licensed and inspected by the Coast Guard to fish for lobster when the owner or family member is not on board the vessel. By June 30, 2001 the owner of the vessel must document that the vessel was used to fish for lobster with paying passengers on board in 1995, 1996 and 1997. Chapter 195 also allows an authorized person to fish for lobster with a replacement vessel and it requires the vessel owner to notify the commissioner in writing annually prior to the vessel being used to fish for lobsters.

Chapter 195 was enacted as an emergency measure effective May 16, 2001.

LD 382

An Act to Reauthorize and Expand the Lobster Promotion Council

PUBLIC 226

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|-----------------------------|--|-----------------------------------|--|------------------------------------|
| <u>Sponsor(s)</u> ETNIER | | <u>Committee Report</u> OTP-AM | | <u>Amendments Adopted</u> H-390 |
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LD 382 proposed to capitalize the Lobster Promotion Fund through surcharges on lobster and crab licenses through the year 2003. It also proposed to increase the surcharges on various licenses used to capitalize the Lobster Promotion Fund by \$25.

Committee Amendment "A" (H-390) proposed to continue to capitalize the Lobster Promotion Fund through surcharges on lobster and crab licenses through the year 2005. The amendment also proposed to increase the surcharge on each license used to capitalize the fund by 25%. This amendment also added an allocation section and a fiscal note to the bill.

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Enacted law summary

Public Law 2001, chapter 226 continues to capitalize the Lobster Promotion Fund through surcharges on lobster and crab licenses through the year 2005. The amendment also increases the surcharge on each license used to capitalize the fund by 25%.

LD 410 **An Act to Provide Noncommercial Combination Lobster and Scallop Licenses to Persons Over 70 Years of Age** **DIED ON ADJOURNMENT**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|--------------------------------|---------------------------|
| MCDONOUGH SHOREY | OTP-AM MAJ ONTP MIN | H-392 |

LD 410 proposed to provide for free licenses to fish for lobster, crab, shellfish or scallops to persons 70 years of age or older provided that they met the requirements of the license to be issued.

Committee Amendment "A" (H-392) proposed to create a noncommercial combination lobster and scallop license for people 70 years of age or older. It would have allowed a license holder to engage in the licensed activities authorized pursuant to a noncommercial lobster and crab fishing license and a noncommercial scallop license. The noncommercial combination lobster and scallop license would have expired on December 31st of each year. The license fee would have been \$10. It also added a fiscal note to the bill.

LD 424 **An Act to Restrict Atlantic Halibut Fishing in State Waters** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HONEY KILKELLY | ONTP | |

LD 424 proposed to set restrictions on the taking and possessing of Atlantic halibut. It also proposed to prohibit the taking or possessing of Atlantic halibut that were less than 36 inches in length and set a limit on the number of Atlantic halibut that could be taken in any one day. A violation of the limits would have been a civil violation with a penalty of not less than \$100 nor more than \$500.

LD 425 **An Act to Restrict the Use of Gill Nets** **CARRIED OVER**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HONEY KILKELLY | | |

LD 425 proposes to place certain restrictions on the use of gill nets in Maine's tidal waters.

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LD 425 has been carried over to the Second Regular Session.

LD 449 An Act to Prevent Damage to Lobsters

PUBLIC 205

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| SULLIVAN LEMONT | OTP-AM | H-255 |

LD 449 proposed to require a lobster trap to have 2 runners that are made out of any material, each 1/4 inch thick and placed on opposite sides of the bottom of the lobster trap.

Committee Amendment "A" (H-255) proposed to require lobster traps to have 2 runners on the bottom of the trap, a second layer of material attached to the bottom of the trap or another device designed to minimize damage to lobster claws and approved by the commissioner. It also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 205 requires lobster traps to have 2 runners on the bottom of the trap, a second layer of material attached to the bottom of the trap or another device designed to minimize damage to lobster claws and approved by the commissioner.

LD 468 An Act to Amend the Lobster Licensing Laws

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|--------------------------------|---------------------------|
| ASH | ONTP MAJ OTP-AM MIN | |

LD 468 proposed to allow anyone who had previously held a Class I, Class II or Class III lobster and crab fishing license to obtain the same license.

Committee Amendment "A" (H-395), the minority report, proposed that a person who previously held a lobster and crab fishing license for at least 2 years would be eligible for the same license. It also proposed to add a fiscal note to the bill. This amendment was not adopted.

LD 502 An Act to Limit Nuisance Claims Against Commercial Fishing Operations and Activities

PUBLIC 99

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| GOLDTHWAIT ETNIER | OTP-AM | S-68 |

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LD 502 proposed to create a right-to-fish law that is similar to Maine's right-to-farm law. It provided that a commercial fishing activity or commercial fishing operation was not a nuisance if the activity or operation predated a change in the land use or occupancy of land within one mile of the activity or operation or if the activity or operation conformed to appropriate environmental practices as determined by the Commissioner of Marine Resources. It proposed to direct the Commissioner of Marine Resources to investigate all complaints involving a commercial fishing activity or commercial fishing operation and to recommend changes to comply with appropriate environmental practices. It also provided that failure to apply appropriate environmental practices may have resulted in an action to abate a nuisance.

Committee Amendment "A" (S-68) replaced the original bill. It proposed to define "commercial fishing activity" and "commercial fishing operation" and it limited private nuisance actions against those activities and operations that are undertaken in compliance with licensing and permitting requirements and other applicable laws. It excluded finfish aquaculture activities from this protection. It also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 99 defines "commercial fishing activity" and "commercial fishing operation" and it limits private nuisance actions against those activities and operations that are undertaken in compliance with licensing and permitting requirements and other applicable laws.

LD 553 **An Act to Exempt Seaweed Harvesting from Certain Restrictions** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| FULLER GOLDTHWAIT | ONTP | |

LD 553 proposed to add seaweed harvesting to the list of public trust rights in the intertidal lands.

LD 592 **An Act to Ensure that Fishways on Tidal Waters are Working** **PUBLIC 190**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HONEY KILKELLY | OTP-AM | H-256 |

LD 592 proposed to require that the Department of Marine Resources check tidal fishways at least annually. It also required the department to adopt rules to establish a schedule of fines for violations involving the improper operation of a fishway.

Committee Amendment "A" (H-256) proposed to require the Commissioner of Marine Resources to annually examine all dams and other artificial obstructions to fish passage within the coastal waters. The amendment also removed the requirement to adopt rules to establish a schedule of fines for violations involving the improper operation of a fishway. The amendment also added a fiscal note to the bill.

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Enacted law summary

Public Law 2001, chapter 190 requires the Commissioner of Marine Resources to annually examine all dams and other artificial obstructions to fish passage within the coastal waters.

LD 630

An Act Concerning Closed Periods for Lobstering

**PUBLIC 123
EMERGENCY**

Sponsor(s)
ETNIER

Committee Report
OTP-AM

Amendments Adopted
H-203

LD 630 proposed to delete language referring to the transfer of lobster traps and clarified that the limitations on summer lobster fishing would not apply to those portions of the coastal waters from the current 3-nautical-mile limit out to the 200-nautical-mile limit as described on United States Government nautical charts.

Committee Amendment "A" (H-203) proposed to delete the provisions in the bill that specified that the limitations on summer lobster fishing do not apply to those portions of the coastal waters from the current 3-nautical-mile limit out to the 200-nautical-mile limit as described on United States Government nautical charts. It also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 123 removes the prohibition against the transfer of lobster traps during certain nighttime hours during the summer and on weekends during the summer.

Chapter 123 was enacted as an emergency measure effective May 9, 2001.

LD 644

An Act to Amend the Laws Governing the Lobster Tag System

ONTP

Sponsor(s)
USHER

Committee Report
ONTP

Amendments Adopted

LD 644 proposed to require the Commissioner of Marine Resources to adopt rules by January 1, 2002 that would have required tags for lobster traps that were fished in a lobster management zone in which a license holder fished a majority of that license holder's traps that were a different color than tags for traps fished outside of that zone.

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LD 676 **An Act Relating to Research Activities of the Commissioner of Marine Resources** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DUGAY | ONTP MAJ | |
| SHOREY | OTP MIN | |

LD 676 proposed to require the Commissioner of Marine Resources to adopt rules prior to conducting any research activities dealing with lobstering, including, but not limited to, research trawl surveys conducted by the Department of Marine Resources, that could involve interference with or the need to move lobstering gear. The rules proposed by this bill were designated to be major substantive rules and would have required a review by the committee of jurisdiction of the Legislature before they became effective.

LD 813 **An Act to Increase to Previous Levels the Number of Traps a Holder of Lobster Licenses may Maintain** **ONTP**

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

LD 813 proposed to limit to 1,200 the number of traps a Class I, Class II or Class III license holder was allowed to submerge.

LD 834 **An Act to Amend the Laws Pertaining to Fishing Near Floating Equipment** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LEMOINE | ONTP | |

LD 834 proposed to extend the prohibition against fishing near floating equipment authorized in a lease for scientific research or aquaculture to all such equipment authorized in any aquaculture lease.

LD 965 **An Act Relating to Daily Catch Limits for Scallops** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GOODWIN | ONTP | |

LD 965 proposed to place a limit on the daily catch of scallops for any person who held a scallop boat license.

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LD 969

An Act to Permit Intrafamily Transfer of Lobster Tags

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|----------------------------|---------------------------|
| MCKENNEY KILKELLY | ONTP MAJ OTP MIN | |

LD 969 proposed to require the Department of Marine Resources to establish by rule provisions for allowing the transfer of lobster trap tags from a grandparent or parent to a grandchild or child.

LD 973

An Act to Restrict Daily Sea Urchin Taking

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GOODWIN SHOREY | ONTP | |

LD 973 proposed to limit the amount of sea urchins a person could harvest to 25 standard totes per day. The proposed forfeiture for violating the limit was not less than \$500 nor more than \$1,000.

LD 1010

An Act to Manage the Sea Urchin Fishery

PUBLIC 327

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LEMONT LEMOINE | OTP-AM | S-125 |

LD 1010 proposed to make changes to the laws regarding the sea urchin fishery. It proposed to allow Sea Urchin Zone Council members to be reimbursed for expenses only. It required the Commissioner of Marine Resources to suspend the sea urchin fishing license for one year from the date of a license holder's conviction for fishing in a closed area. It established a rebuttable presumption that anyone diving from a boat with sea urchins aboard is diving for sea urchins. It required the Commissioner of Marine Resources to establish by rule open days for sea urchin harvesting for Zone 1 and Zone 2 after consultation with the Sea Urchin Zone Council. The bill also proposed to make it unlawful for a person to harvest sea urchins on a day not designated as an open day. It required the Commissioner of Marine Resources to adopt rules to establish conservation areas for the purpose of sea urchin research and made fishing for sea urchins in those areas a violation. It proposed to strike the provision that would repeal Title 12, chapter 623, subchapter II-C, article 3, and made conforming changes in contemplation of the law continuing past 2001. It reduced the surcharge for a sea urchin processor's permit from \$2500 to \$1000. It authorized use of the Sea Urchin Research Fund for reimbursement for travel expenses for Sea Urchin Zone Council members.

Committee Amendment "A" (S-125) proposed to incorporate the provisions of L.D. 1682 into the bill. It changed the licensing provisions for sea urchin dragging. Beginning in January 2002, it proposed to license individuals rather than licensing the activities of a boat. Also beginning in January 2002, the amendment proposed

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to require an individual who holds a sea urchin dragging license to be aboard the boat named on that license when fishing for sea urchins. It also made exemptions for temporary illness or disability on the part of the licensee or temporary changes due to boat accident or mechanical failure. A "grandfathering" exemption was proposed to allow a person who held more than one sea urchin dragging license to continue to do so until the current boat named on that license changed.

The amendment also proposed to change the sea urchin lottery system to a limited entry system. It also instructed the Commissioner of Marine Resources to adopt rules to establish a limited entry system.

Enacted law summary

Public Law 2001, chapter 327 changes the licensing provisions for sea urchin dragging. Beginning in January 2002, individuals will be licensed rather than the activities of a boat. It allows for a one-time change to the named individual on a sea urchin dragging license to coincide with the owner of the boat named on that license in 2000. Also beginning in January 2002, chapter 327 requires an individual who holds a sea urchin dragging license to be aboard the boat named on that license when fishing for sea urchins. It also makes exemptions for temporary illness or disability on the part of the licensee or temporary changes due to boat accident or mechanical failure. A "grandfathering" exemption is added to allow for a person who currently holds more than one sea urchin dragging license to continue to do so until the current boat named on that license changes.

Chapter 327 also changes the sea urchin lottery system to a limited entry system and instructs the Commissioner of Marine Resources to adopt rules to establish a limited entry system for sea urchins.

Chapter 327 also makes the following changes to the laws regarding the sea urchin fishery:

1. It allows Sea Urchin Zone Council members to be reimbursed for expenses only.
2. It requires the Commissioner of Marine Resources to suspend the sea urchin fishing license for one year from the date of a license holder's conviction for fishing in a closed area.
3. It establishes a rebuttable presumption that anyone diving from a boat with sea urchins aboard is diving for sea urchins.
4. It requires the Commissioner of Marine Resources to establish by rule open days for sea urchin harvesting for Zone 1 and Zone 2 after consultation with the Sea Urchin Zone Council and repeals the current provision governing open days. The bill also makes it unlawful for a person to harvest sea urchins on a day not designated as an open day.
5. It requires the Commissioner of Marine Resources to adopt rules to establish conservation areas for the purpose of sea urchin research and makes fishing for sea urchins in those areas a violation subject to the penalties under the Maine Revised Statutes, Title 12, section 6749-Y.
6. It strikes the provision that would repeal Title 12, chapter 623, subchapter II-C, article 3, "Emergency Limitations; Sea Urchin Fishery," and makes conforming changes in contemplation of the law continuing past 2001.
7. It reduces the surcharge for a sea urchin processor's permit from \$2500 to \$1000.

Joint Standing Committee on Marine Resources

8. It authorizes use of the Sea Urchin Research Fund for reimbursement for travel expenses for Sea Urchin Zone Council members.

LD 1027 **An Act to Set the Lobster License Sale Date** **ONTP**

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

LD 1027 proposed to prohibit the sale of lobster and crab fishing licenses after September 30th for the current licensing year.

LD 1036 **An Act to Create a State Program for the Testing of Marine Dredge CARRIED OVER Spoils and Disposal of Contaminated Spoils**

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|------------------------------------|--|-------------------------|--|---------------------------|
| <u>Sponsor(s)</u> QUINT RAND | | <u>Committee Report</u> | | <u>Amendments Adopted</u> |
|------------------------------------|--|-------------------------|--|---------------------------|

LD 1036 proposes to create a program under the Department of Marine Resources for funding the testing of dredge spoils and the proper disposal of contaminated spoils.

LD 1036 has been carried over to the Second Regular Session.

LD 1091 **An Act Concerning the Lobster Management Fund** **PUBLIC 93**

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|--|--|-----------------------------------|--|-----------------------------------|
| <u>Sponsor(s)</u> LEMONT LEMOINE | | <u>Committee Report</u> OTP-AM | | <u>Amendments Adopted</u> S-67 |
|--|--|-----------------------------------|--|-----------------------------------|

LD 1091 proposed to remove the dollar limitation with regard to support for the Lobster Advisory Council. The bill also proposed to allow money from the Lobster Management Fund to be used to support the Lobster Advisory Council.

Committee Amendment "A" (S-67) added an allocation section and a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 93 removes the dollar limitation with regard to support for the Lobster Advisory Council. Chapter 93 also allows money from the Lobster Management Fund to be used to support the Lobster Advisory Council.

Joint Standing Committee on Marine Resources

LD 1110

An Act to Amend the Tax on Mahogany Quahogs

**DIED ON
ADJOURNMENT**

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|------------------------------|--|-----------------------------------|--|------------------------------------|
| <u>Sponsor(s)</u> VOLENIK | | <u>Committee Report</u> OTP-AM | | <u>Amendments Adopted</u> H-463 |
|------------------------------|--|-----------------------------------|--|------------------------------------|

LD 1110 proposed to repeal the mahogany quahog tax.

Committee Amendment "A" (H-463) proposed to direct the Commissioner of Marine Resources to use funds in the Toxin Monitoring Fund to conduct a stock assessment to determine the status of mahogany quahog stocks in federal waters off the coast of Maine. The amendment would also have incrementally reduced the mahogany quahog tax. It also proposed to change the limit that could be credited from the tax to the Toxin Monitoring Fund from \$16,000 to \$27,750, effective July 1, 2002.

LD 1140

Resolve, to Clarify the 3-mile Fishing Waters in Saco Bay

ONTP

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|-----------------------------|--|---------------------------------|--|---------------------------|
| <u>Sponsor(s)</u> LEMONT | | <u>Committee Report</u> ONTP | | <u>Amendments Adopted</u> |
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LD 1140 proposed to require the Department of Marine Resources to adopt a rule that established the boundary beyond which a person could fish using a trawl that had more than 3 lobster traps as 3 nautical miles from land as measured by radar.

The provisions of this bill were subsequently amended and incorporated into the committee amendment to LD 1653, Public Law 2001, chapter 272.

LD 1158

An Act Relating to Daily Catch Limits for Scallops

ONTP

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|-----------------------------|--|---------------------------------|--|---------------------------|
| <u>Sponsor(s)</u> SHOREY | | <u>Committee Report</u> ONTP | | <u>Amendments Adopted</u> |
|-----------------------------|--|---------------------------------|--|---------------------------|

LD 1158 proposed to place a limitation on the daily catch of scallops in Cobscook Bay for any person who held a scallop boat license.

Joint Standing Committee on Marine Resources

LD 1179 **An Act to Amend the Laws Pertaining to the Taking of Seaweed and Rockweed** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|--------------------------------|---------------------------|
| GOODWIN | ONTP MAJ OTP-AM MIN | |

LD 1179 proposed to require a holder of a seaweed permit to obtain written permission from the upland landowner prior to harvesting seaweed in the intertidal zone. The bill also proposed to repeal the authority given to the Commissioner of Marine Resources to establish rules regulating the harvesting of seaweed.

Committee Amendment "A" (H-399), the minority report of the Joint Standing Committee on Marine Resources, added an appropriation section and a fiscal note to the bill. This amendment was not adopted.

LD 1189 **Resolve, to Establish the Committee to Study the Feasibility of Establishing a Recreational Saltwater Fishing License** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| DUNLAP GOLDTHWAIT | ONTP | |

LD 1189 proposed to establish the Committee to Study the Feasibility of Establishing a Recreational Saltwater Fishing License. As part of the proposed study, the committee would have held at least 2 public hearings to seek public input.

LD 1241 **Resolve, to Establish a Moratorium on Aquaculture Leases in Blue Hill Bay** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|--------------------------------|---------------------------|
| PERKINS | ONTP MAJ OTP-AM MIN | |

LD 1241 proposed to establish a 4-year moratorium on the issuance of new aquaculture leases in Blue Hill Bay. The resolve also proposed to require the Department of Marine Resources to undertake a study of the effects of aquaculture on the ecosystem of the bay and to hold a public hearing in the area of Blue Hill Bay.

Committee Amendment "A" (H-497), the majority report of the Joint Standing Committee on Marine Resources, proposed to prohibit the Department of Marine Resources from accepting applications for or issuing new finfish aquaculture leases in Blue Hill Bay for 2 years. The amendment also directed the Department of Marine Resources to consider the findings of relevant ecosystem studies of Blue Hill Bay prior to issuing a new finfish aquaculture lease in Blue Hill Bay after the completion of the 2-year moratorium. The amendment also provided that the resolve applied to all proceedings pending on the effective date of the resolve. The amendment did not prohibit the Department of Marine Resources from processing applications that were accepted prior to the effective date of the

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resolve; however, new leases could not be issued on those applications. The amendment also added an emergency preamble to the resolve and removed the requirement for the Department of Marine Resources to undertake a study of the effects of aquaculture on the ecosystem of the bay. This amendment was not adopted.

LD 1280 **An Act Concerning the Enforcement of Laws Relating to Scalloping in Cobscook Bay** **PUBLIC 192**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SHOREY GOODWIN | OTP-AM | S-126 |

LD 1280 proposed to require that all sorting of scallops take place on a vessel that possesses a scallop boat license and not on a shucking or sorting table. It also proposed that a vessel could not possess more than one day's scallop limit unless that vessel had received a waiver from this limitation issued by a marine patrol officer.

Committee Amendment "A" (S-126) replaced the bill. It proposed to set a daily limit and culling requirement for scallops in Cobscook Bay. It set a penalty for violation. It also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 192 sets a daily limit and culling requirements for scallops in Cobscook Bay and sets a penalty for violation.

LD 1309 **An Act to Amend the Laws Pertaining to the Harvest of Adult Eels** **PUBLIC 187**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LEMONT LEMOINE | OTP-AM | S-127 |

LD 1309 proposed to remove the limitation on the number of eels an individual may take for personal use.

Committee Amendment "A" (S-127) proposed to direct the Department of Marine Resources to adopt rules establishing a limit on the number of eels that a person may fish for, take, possess or transport. It also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 187 removes the limitation on the number of eels an individual may take for personal use. Chapter 187 also directs the Department of Marine Resources to adopt rules establishing a limit on the number of eels that a person may take.

Joint Standing Committee on Marine Resources

LD 1327

Resolve, to Allow Coastal Municipalities to Regulate the Use of Personal Watercraft

DIED IN CONCURRENCE

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BULL | ONTP MAJ | |
| EDMONDS | OTP MIN | |

LD 1327 proposed to establish a process whereby municipalities could submit recommendations to the Commissioner of Marine Resources for the regulation of personal watercraft on coastal waters within the jurisdiction of those municipalities or that about those municipalities. The resolve also would have authorized the Department of Conservation, Bureau of Parks and Lands, the Department of Marine Resources and the Maine Land Use Regulation Commission to work together on recommendations for coastal waters that about land controlled by the Federal Government or the State Government.

LD 1334

An Act to Modify Municipal Shellfish Ordinances

PUBLIC 101

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

LD 1334 proposed to provide for the repeal of a shellfish conservation ordinance by a municipality or the Commissioner of Marine Resources. It also clarified that an ordinance must be filed with the Commissioner of Marine Resources within 20 days in order to remain in effect.

Enacted law summary

Public Law 2001, chapter 101 provides for the repeal of a shellfish conservation ordinance by a municipality or the Commissioner of Marine Resources. Chapter 101 also clarifies that an ordinance must be filed with the Commissioner of Marine Resources within 20 days in order to remain in effect.

LD 1372

An Act to Establish a Buffer Zone for Aquaculture Leases for Mussels

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BAGLEY | ONTP | |

LD 1372, a concept draft pursuant to Joint Rule 208, proposed to establish a buffer zone for aquaculture leases for mussels.

Joint Standing Committee on Marine Resources

LD 1374 **An Act to Create the Maine Soft-shell Clam Advisory Council** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| ETNIER SMALL | ONTP | |

LD 1374 proposed to create the Maine Soft-shell Clam Advisory Council and to establish the Soft-shell Clam Management Fund.

LD 1392 **An Act to Set the Mussel Size Limit** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HONEY | ONTP | |

LD 1392 proposed to set the size limit of a mussel at 2 inches.

LD 1428 **An Act to Amend the Aquaculture Leasing Law** **CARRIED OVER**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PERKINS | | |

LD 1428 proposes to provide citizens and other interested parties 10 days following the completion of the aquaculture lease hearing to submit further evidence and testimony. It also proposes to provide that this period may be extended for a period beyond 10 days if agreed to by the parties. The bill also proposes to change the Department of Marine Resources' site review period from the period from April 1st to November 15th to the period from June 15th to September 15th.

LD 1428 has been carried over to the Second Regular Session.

LD 1483 **An Act to Expand the Options for a Lobster Management Zone** **PUBLIC 282**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|----------------------------------|---------------------------|
| VOLENIK GOLDTHWAIT | OTP-AM MAJ ONTP MIN | H-391 |

LD 1483 proposed to allow a lobster management policy council to propose to the Commissioner of Marine Resources rules for a zone that increase the minimum length of time an apprentice must be enrolled in the lobster apprentice program; require a sponsor of an apprentice to have held a lobster and crab fishing license for at least 5 years; add a course work requirement to the apprentice program; allow apprentices to only enter the zone if they apprenticed in that zone; and require a one-year, 2-year or 3-year delay in transfers into the zone from other zones.

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Committee Amendment "A" (H-391) proposed to change the additions to the authority of lobster management policy councils proposed in the bill into a pilot program for Zone C. The amendment repealed the pilot program June 1, 2004. It also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 282 establishes a pilot program for Zone C. It allows a lobster management policy council for Zone C to propose to the Commissioner of Marine Resources rules for Zone C that increase the minimum length of time an apprentice must be enrolled in the lobster apprentice program; require a sponsor of an apprentice to have held a lobster and crab fishing license for at least 5 years; add a course work requirement to the apprentice program; allow apprentices to only enter Zone C if they apprenticed in Zone C; and require a one-year, 2-year or 3-year delay in transfers into Zone C from other zones. Chapter 282 also repeals the pilot program June 1, 2004.

LD 1489 **Resolve, to Create a Task Force to Make Recommendations
Regarding Loss of Commercial Fishing Waterfront Access and
Other Economic Development Issues Affecting Commercial Fishing** **DIED ON
ADJOURNMENT**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|----------------------------------|---------------------------|
| ETNIER | OTP-AM MAJ ONTP MIN | H-394 |

LD 1489 proposed to establish the Task Force to Make Recommendations Regarding Loss of Commercial Fishing Waterfront Access and Other Economic Development Issues Affecting Commercial Fishing.

Committee Amendment "A" (H-394) proposed to add 2 legislative members to the task force for a total of 4 members of the Legislature and remove 2 fishing industry members for a total of 2 members representing the fishing industry. Chair selection was amended and appointing authorities were identified. The amendment also proposed to remove the duty to review right-to-fish issues. It also added a fiscal note to the resolve.

The provisions of LD 1489 and Committee Amendment "A" were incorporated into Joint Order H.P. 1384.

LD 1555 **An Act to Require Fishing Boats Rather than Individuals to be
Licensed for Saltwater Commercial Ventures** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GOODWIN | ONTP | |

LD 1555 proposed to require that boats, instead of individuals, be licensed for harvesting marine organisms. It would have allowed any person to fish for a marine organism from a boat that was licensed for the harvesting of that marine organism. It would have required the owner of the boat to be on board the boat when it was used for fishing and provided exemptions to that requirement under certain circumstances. The owner would have been

Joint Standing Committee on Marine Resources

liable for the activities of any person who fished from the owner's boat. It also made a variety of technical changes to the marine resources laws to reflect the changing of certain license requirements from licensing individuals to licensing boats.

The bill also proposed to repeal limited-entry provisions in the lobster and sea urchin fisheries.

LD 1649

An Act to Establish a Commercial Green Crab Fishing License

**PUBLIC 186
EMERGENCY**

| | | |
|--|-----------------------------------|------------------------------------|
| <u>Sponsor(s)</u> LEMONT LEMOINE | <u>Committee Report</u> OTP-AM | <u>Amendments Adopted</u> S-128 |
|--|-----------------------------------|------------------------------------|

LD 1649 proposed to establish a new license that allowed an individual to fish for green crabs. Currently, only individuals who possess a lobster and crab fishing license may legally fish for crabs. This bill would have prohibited fishing for green crabs except with gear approved by the Commissioner of Marine Resources. This bill also proposed to establish a dedicated fund into which revenues from the sale of green crab fishing licenses would be deposited.

Committee Amendment "A" (S-128) added an emergency preamble and emergency clause with an effective date of July 1, 2001. It also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 186 establishes a new license that allows an individual to fish for green crabs. It prohibits fishing for green crabs except with gear approved by the Commissioner of Marine Resources and it establishes a dedicated fund into which revenues from the sale of green crab fishing licenses will be deposited. Chapter 186 was enacted as an emergency measure effective July 1, 2001.

LD 1653

An Act Making Technical Changes in the Marine Resources Laws

PUBLIC 272

| | | |
|--|-----------------------------------|------------------------------------|
| <u>Sponsor(s)</u> LEMONT LEMOINE | <u>Committee Report</u> OTP-AM | <u>Amendments Adopted</u> S-169 |
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LD 1653 proposed to make several technical changes to the marine resources laws.

1. It clarified that the term "coastal waters" means marine waters out to the seaward extent of the exclusive economic zone and provided that the term "territorial waters" means marine waters only out to the 3-nautical-mile line described on United States Government nautical charts.
2. It corrected the descriptions of limitations on lobster fishing areas in the Kittery, Pemaquid and Hancock County areas.

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3. It corrected the description of the Monhegan Lobster Conservation Area.
4. It clarified that fishing for seaweed is not subject to the commercial fishing license.
5. It clarified that marking requirements for ice fishing shacks apply only in the territorial waters.
6. It removed a reference to waters of the State with regard to the limitations on how striped bass are caught and with regard to personal use of striped bass.
7. It clarified that limitations on the use of trawls in Washington County apply only to the territorial waters adjacent to Washington County.
8. It clarified that the requirement to identify spawning areas for groundfish applies only in the territorial waters.
9. It clarified that limitations on the taking of eels apply only in the territorial waters.
10. It clarified that limitations on the taking of scallops apply only in the territorial waters.
11. It clarified that requirements for specific ring sizes for scallop drags apply only in the territorial waters.
12. It clarified that drag size limits for scallop drags apply only in the territorial waters.
13. It clarified that the limitations on fishing in Cobscook Bay apply only to the territorial waters.
14. It clarified that limitations on dragging in Taunton Bay apply only in the territorial waters.

Committee Amendment "A" (S-169) proposed to provide that until January 30, 2008, a person may have up to 6 lobster traps on a trawl within a specified area of Saco Bay. The amendment also deleted a reference to having more than 10 lobster traps "on one warp and buoy" in waters in the vicinity of Kittery. The amendment also required each trawl set in waters in the vicinity of Kittery to be marked with a buoy on both ends of the trawl. The amendment also corrected an error in a latitude reference.

The amendment also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 272 makes several technical changes to the marine resources laws. It clarifies that the term "coastal waters" means marine waters out to the seaward extent of the exclusive economic zone and provides that the term "territorial waters" means marine waters only out to the 3-nautical-mile line described on United States Government nautical charts. It also applies those definitions to certain statutes. Chapter 272 corrects the description of the Monhegan Lobster Conservation Area and it clarifies that fishing for seaweed is not subject to the commercial fishing license. It provides that until January 30, 2008, a person may have up to 6 lobster traps on a trawl within a specified area of Saco Bay and it deletes a reference to having more than 10 lobster traps "on one warp and buoy" in waters in the vicinity of Kittery. It also requires each trawl set in waters in the vicinity of Kittery to be marked with a buoy on both ends of the trawl.

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LD 1682

An Act to Restructure the Sea Urchin Lottery

ONTP

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

LD 1682 proposed to change the licensing for sea urchin dragging. Beginning in January 2002, the bill proposed to license individuals rather than licensing the activities of a boat. It allowed for a one-time change to the named individual on a sea urchin dragging license to coincide with the owner of the boat named on that license in 2000. Beginning in January 2002, the bill also proposed to require an individual who held a sea urchin dragging license to be aboard the boat named on that license when fishing for sea urchins. It also made exemptions for temporary illness or disability on the part of the licensee or temporary changes due to boat accident or mechanical failure. A "grandfathering" exemption was added to allow for a person who currently held more than one sea urchin dragging license to continue to do so until the current boat named on that license changed.

The bill also proposed to change the sea urchin lottery system to a limited entry system and instructed the Commissioner of Marine Resources to adopt rules to establish a limited entry system for sea urchins.

The provisions of LD 1682 were incorporated into Public Law 2001, chapter 327.

LD 1717

An Act to Amend the Laws Pertaining to Municipal Shellfish Management

PUBLIC 188

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LEMOINE LEMONT | OTP-AM | H-257 |

LD 1717 proposed to amend the laws governing municipal shellfish management programs to clarify portions of those laws.

Committee Amendment "A" (H-257) proposed to clarify the bill by requiring that a licensing authority that issues recreational licenses to residents must issue recreational licenses to nonresidents as well.

Enacted law summary

Public Law 2001, chapter 188 amends the laws governing municipal shellfish management programs to clarify portions of those laws.

Joint Standing Committee on Marine Resources

LD 1769 **Resolve, Regarding Legislative Review of Chapter 55.58: Penobscot River Fishing Closure, a Major Substantive Rule of the Department of Marine Resources** **RESOLVE 36 EMERGENCY**

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| <u>Sponsor(s)</u> | | <u>Committee Report</u> OTP | | <u>Amendments Adopted</u> |
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LD 1769 proposed to provide for legislative review of Chapter 55.58: Penobscot River Fishing Closure, a major substantive rule of the Department of Marine Resources.

Enacted law summary

Resolve 2001, chapter 36 authorizes the final adoption of Chapter 55.58: Penobscot River Fishing Closure, a major substantive rule of the Department of Marine Resources.

Chapter 36 was enacted as an emergency measure effective May 22, 2001.

LD 1786 **An Act to Amend the Review Criteria for Submerged Leases of Coastal Waters** **ONTP**

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|--|--|---------------------------------|--|---------------------------|
| <u>Sponsor(s)</u> ABROMSON DAVIS G | | <u>Committee Report</u> ONTP | | <u>Amendments Adopted</u> |
|--|--|---------------------------------|--|---------------------------|

LD 1786 proposed to add, as part of the criteria that must be met in granting an aquaculture lease, that the proposed project would not adversely affect the overall economic interests of riparian owners. The bill proposed to define "riparian owner" to mean a shorefront owner whose property boundaries were within 3,000 feet of the proposed lease boundaries. The bill also proposed to increase the protected area from 1,000 feet to 3,000 feet around beaches, parks and docking facilities.

LD 1788 **An Act to Allow Marine Patrol Officers to Hold Elected Positions** **PUBLIC 340 EMERGENCY**

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| <u>Sponsor(s)</u> | | <u>Committee Report</u> OTP-AM | | <u>Amendments Adopted</u> H-534 |
|-------------------|--|-----------------------------------|--|------------------------------------|

LD 1788 proposed to allow marine patrol officers to hold elected positions in municipal or county government.

Committee Amendment "A" (H-534) added an emergency preamble and an emergency clause to the bill.

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