

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
115TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
MARINE RESOURCES**

**AUGUST 1991**

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION  
JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1991**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>CARRIED OVER</b>	<i>Bill carried over to 2nd Session</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Bill failed to get 2/3 vote</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>LVWD</b>	<i>Leave to Withdraw report accepted</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>VETO SUSTAINED</b>	<i>Legislature failed to override Governor's Veto</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>DIED ON ADJOURNMENT</b>	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
COLES	ONTP MAJ	
MARSH	OTP-AM MIN	

**SUMMARY**

This bill proposed to require any person taking soft-shell clams to attach a tag to each container of clams as they come off the flats. The tag would have specified who took the clams and where they were taken. The bill also proposed to reduce the minimum legal size for soft-shell clams from 2 inches to 1 3/4 inches, and to reduce from 10% to 3% the percentage of any bulk pile that may be less than the legal size.

**LD 1172 An Act to Establish a Fund to Promote Lobster Marketing**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
MITCHELL J	OTP-AM	S-355
VOSE		
COLES		
SKOGLUND		

**SUMMARY**

This bill proposed to establish a 9-member Lobster Promotion Council to promote lobsters and to develop national and international markets for lobsters harvested or processed in the State, funded through surcharges assessed on crab and lobster licenses, wholesale seafood licenses and lobster transportation licenses.

Senate amendment "A" (S-355) replaced the bill. The amendment establishes a Lobster Promotion Council of 9 voting members to promote the marketing of lobsters and develop national and international markets for lobsters harvested or processed in the State. A Lobster Promotion Fund is established that is capitalized through surcharges assessed on crab and lobster licenses, wholesale seafood licenses and lobster transportation licenses issued by the Department of Marine Resources for calendar years 1992 and 1993. The Lobster Promotion Fund may be used by the Lobster Promotion Council only for the lobster marketing and promotion activities authorized by this amendment. Two staff positions funded from the Lobster Promotion Fund are authorized in this amendment. The State Controller is authorized to make a \$100,000 working capital advance to the council. A working capital advance is required for the council to begin conducting its business, since revenue from surcharges assessed on calendar year 1992 licenses will not begin flowing into the Lobster Promotion Fund until after January 1, 1992. Any working capital funds advanced by the State Controller must be returned to the General Fund prior to the end of the fiscal year. This amendment requires the council to report annually to the Joint Standing Committee on Marine Resources and the Joint Standing Committee on Appropriations and Financial Affairs on its activities and on the use of the funds.

In addition, the Commissioner of Marine Resources is required to investigate options other than license surcharges as funding mechanisms for the Lobster Promotion Council. The commissioner is specifically charged with investigating a funding mechanism based upon fees assessed on each pound of lobster sold by dealers. The commissioner must report the findings of the investigation to the Joint Standing Committee on Marine Resources by February 15, 1992.