

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
MARINE RESOURCES

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</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.

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

4693NRG

LD 148 **An Act to Regulate the Season and Drag Size for Scalloping
in Cobscook Bay and Passamaquoddy Bay** **ONTP**

SPONSOR(S) TOWNSEND G	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

This bill would have established December 1st through April 15th as the fixed season for scallop harvesting in the coastal waters of Cobscook Bay and Passamaquoddy Bay and would have established a 5 1/2 foot limit on the size of scallop drags.

LD 158 **An Act to Change the Scallop Harvesting Season** **PUBLIC 448**

SPONSOR(S) LOOK	COMMITTEE REPORT OTP-AM	AMENDMENTS ADOPTED H-146 H-270 MITCHELL J
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SUMMARY

This bill proposed to establish December 1st through April 30th as the fixed season for scallop harvesting in coastal waters east of Penobscot Bay. The bill also proposed a 5 1/2 foot limit on the size of scallop drags and a prohibition on scallop diving in areas where scallop dragging is underway. The bill also proposed that scallop divers be required to anchor their boats in a fixed position and display a "diver's down" flag while harvesting scallops by hand.

Committee amendment "A" (H-146) replaced the bill. The amendment would have required any diver harvesting marine species by hand to display a red and white "diver's down" flag when using scuba gear to harvest that species.

House amendment "A" (H-270) struck the committee amendment. The amendment requires that a Coast Guard's diving flag be displayed by persons using scuba gear to harvest marine species under a license issued by the Commissioner of Marine Resources.

LD 196 **An Act Concerning the Use of Stabilizers on Fishing Vessels** **ONTP**

SPONSOR(S) PINGREE	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

This bill would have prohibited the use of paravanes by registered or documented vessels in an area of coastal waters located in the southwestern Penobscot Bay area.

LD 255 **An Act Concerning Ice-fishing Shacks** **PUBLIC 265
EMERGENCY**

SPONSOR(S) HOLT	COMMITTEE REPORT OTP-AM	AMENDMENTS ADOPTED H-341
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SUMMARY

This bill proposed to allow municipalities to regulate ice-fishing shacks within their boundaries.

Committee amendment "A" (H-341) replaced the bill. The amendment allows a municipality to enact an ordinance regulating ice fishing shacks on sources of public water supply, or portions of those water supply sources, located within that municipality. The amendment also clarifies that the general prohibition on municipal regulation of ice fishing shacks in the Maine Revised Statutes, Title 12, section 7035, subsection 1, paragraph B, does not apply to coastal waters.

LD 273 An Act Creating the Groundfish Hatchery Study Commission

**PUBLIC 194
EMERGENCY**

SPONSOR(S)
MITCHELL J

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-271

SUMMARY

This bill proposed to establish a Cod Hatchery Fund. Money in the fund was to be used to establish and operate 2 cod hatcheries, one of which was to be located at the Bigelow Laboratory for Ocean Sciences in West Boothbay Harbor. The bill also proposed to increase commercial fishing license fees by \$100 per license to provide the revenues necessary to establish and operate the cod hatcheries. The fee increase was to be effective for commercial fishing licenses sold for each calendar year, beginning with licenses sold for calendar year 1994.

Committee amendment "A" (H-271) replaced the bill. The amendment establishes the Groundfish Hatchery Study Commission to study issues relating to the groundfish fishery in the State. The study has 2 phases. Phase I of the study focuses on determining the economic feasibility of producing hatchery-raised groundfish in the State. The commission must report its Phase I findings to the Joint Standing Committee on Marine Resources no later than January 1, 1994. Phase II of the study focuses on other issues critical to the groundfish fishery, including determining the need for one or more groundfish hatcheries, the appropriate methods for revitalizing localized schools of groundfish and the tendency of groundfish to return to their breeding area. Phase II also includes a study of the relationship between hatchery-raised groundfish and wild groundfish populations to determine the impacts of introducing hatchery-raised groundfish into the groundfish fishery. The commission must report its Phase II findings to the Joint Standing Committee on Marine Resources no later than January 1, 1995.

The Groundfish Hatchery Fund and the Groundfish Hatchery Study Commission are repealed on July 30, 1995. On that date, any unencumbered money in the fund is deposited into the General Fund.

The Groundfish Hatchery Study Commission is funded by a \$10 surcharge on commercial fishing licenses issued for calendar year 1994. To allow the commission to begin its study immediately, however, this amendment authorizes the State Controller to provide a working capital advance of \$10,000 to the commission. The Commissioner of Marine Resources is required to repay this working capital advance with revenues raised from the license surcharge no later than June 30, 1994.

LD 308 An Act to Prohibit Persons Harvesting Sea Urchins from Harvesting Lobsters

ONTP

SPONSOR(S)
SUMMERS

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED