

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 439 **An Act Concerning Atlantic Salmon in the Union River** **ONTP**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ZIRNKILTON	ONTP	

SUMMARY

This bill would have required the Atlantic Sea Run Salmon Commission to release a portion of its total Atlantic salmon smolt production into the Union River in Hancock County.

LD 558 **An Act to Amend the Laws Concerning Transfers of Commercial Moorings** **PUBLIC 66**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LAWRENCE	OTP	S-51 CAREY

SUMMARY

This bill adds "spouse" to the definition of "member of the assignee's family" for purposes of the transfer of commercial moorings.

Senate amendment "A" (S-51) was presented on behalf of the Committee on Bills in Second Reading to make a necessary technical correction.

LD 682 **An Act to Require Safety Identification for Sea Kayaks** **ONTP**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CAHILL	ONTP	

SUMMARY

This bill would have required a person operating a sea kayak to display safety markers in accordance with rules developed by the Commissioner of Inland Fisheries and Wildlife.

LD 774 **An Act to Prohibit the Sale of Menhaden Caught in Penobscot Bay to Foreign Processors in Internal Waters** **ONTP**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
SKOGLUND	ONTP	

SUMMARY

This bill would have prohibited the Governor from allowing foreign processors in internal waters to process menhaden caught from Penobscot Bay.

LD 813 **An Act to Change the Opening Date for the Harvesting of Scallops to December 1st** **ONTP**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ZIRNKILTON FOSTER	ONTP	

SUMMARY

This bill would have lengthened the scallop-harvesting season.

LD 948 An Act Relating to the Portland Harbor Commission and Portland Harbor

P & S 34
EMERGENCY

SPONSOR(S)	COMMITTEE REPORT		AMENDMENTS ADOPTED
CONLEY	OTP-AM	MAJ	S-144
	ONTP	MIN	S-152 VOSE

SUMMARY

This bill proposed to make several changes to the laws governing the Board of Harbor Commissioners for Portland Harbor.

Committee amendment "A" (S-144) replaced the bill but incorporated much of the substance of the original bill. The amendment reduces the number of members on the Board of Harbor Commissioners for Portland Harbor from 7 to 5 and eliminates the requirements that one of the members be a person who holds a commercial fishing license and that one be a person representing commercial, marine or shipping interests.

The amendment requires the commission to send proposed rules to the cities of Portland and South Portland at the same time the proposed rules are sent to the Department of Transportation.

The amendment allows Portland and South Portland police officers to enforce rules adopted by the commission and confers on those officers all the powers held by the Portland harbor master by state law, municipal ordinance or rules adopted by the commission, except for the assignment of moorings. Under the amendment, Portland and South Portland police officers may exercise police powers and the powers granted to the harbor master anywhere within Portland Harbor.

The amendment requires the commission to submit its budget to the cities of Portland and South Portland and prohibits the commission from spending any funds that are not approved by the city councils of both those cities.

The amendment repeals provisions enacted in 1989 that allow the commission to establish fees for services provided by the Portland harbor master and require the harbor master to collect those fees from wharf, slip and dock owners.

Senate amendment "B" (S-152) adds a mandate preamble and an emergency preamble to Committee amendment "A".

LD 953 An Act to Increase Access to Clam Flats for Nonresident Clam Diggers

PUBLIC 456

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
FARNSWORTH	OTP-AM	H-260

SUMMARY

This bill proposed to increase from 10% to 20% the percentage of commercial shellfish harvesting licenses that a municipality must reserve for nonresidents. The bill also proposed several grammatical changes for the purpose of clarification.