

MAINE STATE LEGISLATURE

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**STATE OF MAINE
116TH LEGISLATURE**

SECOND REGULAR SESSION

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

MAY 1994

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

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

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, 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:

PUBLIC XXX

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

Joint Standing Committee on Marine Resources

LD 1304 An Act Concerning Commercial Divers

PUBLIC 604
EMERGENCY

SPONSOR(S)

TOWNSEND G
VOSE

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-835

SUMMARY

LD 1304 proposed to require that commercial divers show proof of diver certification before being issued a commercial fishing license.

COMMITTEE AMENDMENT "A" (H-835) replaced the bill. The amendment prohibits the Commissioner of Marine Resources from issuing scallop or sea urchin hand harvesting licenses for 1995 or later unless the applicant possesses open water diver certification and a certificate of competency in commercial underwater hand harvesting activities. The open water diver certification requirement and the competency course are waived for any person who possessed a scallop or sea urchin hand harvesting license in 1992, 1993 and 1994 and who completes a classroom seminar on safe sea urchin harvesting practices. The commissioner has until August 15, 1994 to establish a curriculum for certifying the competency of commercial hand harvesters. The amendment allows the commissioner to waive components of the competency course based on demonstrated expertise or experience.

The amendment also requires persons seeking to obtain a sea urchin boat tender license to attend a boat tender training session. The boat tender training session will focus on risk factors associated with diving and will include basic CPR training.

The amendment also adds an emergency preamble, an emergency clause, an allocation section and a fiscal note to the bill.

LD 1578 An Act to Strengthen Penalties for the Unlawful Cutting of Lobster Traps

PUBLIC 543
EMERGENCY

SPONSOR(S)

ZIRNKILTON

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-771

SUMMARY

LD 1578 proposed to increase the penalty for cutting a lobster trap line by requiring the violator to pay restitution to the trap owner and by allowing the court to extend the period of license suspension beyond the automatic 3-year suspension established in existing law.

COMMITTEE AMENDMENT "A" (H-771) replaced the bill. Under this amendment, a person holding a lobster and crab fishing license who is convicted of molesting lobster gear by cutting a lobster trap line will be required to pay restitution to the owner of those traps in an amount equal to twice the replacement value of all traps lost as a result of the cutting.

The amendment also requires the convicted person to provide proof of payment to the Commissioner of Marine Resources upon payment of that restitution. If that proof is not received within the existing mandatory 3-year license suspension period, the commissioner is required to continue the license suspension of that person until that person provides proof of full payment of restitution.