

# 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

**LD 1688      An Act to Increase Penalties for Violation of  
Lobster Fishing Laws**

**PUBLIC 550**

**SPONSOR(S)**  
LEMONT

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-767  
H-787    MITCHELL J

**SUMMARY**

LD 1688 proposed to increase the standard of proof to "intentional" for violations involving the purchase, sale, transport, shipment or possession of lobsters less than the minimum size or greater than the maximum size permitted by law. The bill also proposed to allow the Commissioner of Marine Resources to file an action in Administrative Court and to allow the court suspend, for a maximum of 5 years, the lobster harvesting license of any person convicted of purchasing, selling, transporting, shipping or possessing undersized or oversized lobsters.

COMMITTEE AMENDMENT "A" (H-767) replaced the bill. The committee amendment imposes a mandatory 3-year license suspension for lobster harvesters who are convicted more than once of possessing short lobsters. The amendment also adds a fiscal note.

HOUSE AMENDMENT "A" (H-787) provides that the lobster and crab fishing license of a person convicted of a 2nd or subsequent offense may be suspended only if there were 3 or more short lobsters involved in the 2nd or subsequent offense.

**LD 1689      An Act Requiring the Use of Logbooks by Lobster Harvesters**

**PUBLIC 726**

**SPONSOR(S)**  
LEMONT

**COMMITTEE REPORT**  
OTP-AM    MAJ  
ONTP        MIN

**AMENDMENTS ADOPTED**  
H-1017    MITCHELL J  
H-973

**SUMMARY**

LD 1689 proposed to allow the sale of lobster and crab fishing licenses during 1995 and 1996 only to persons who held a valid lobster and crab fishing license on December 31, 1993 and who demonstrates to the satisfaction of the commissioner that that person engaged in lobstering activities at some time during the previous 3 years. The bill also proposed to limit all lobster and crab fishing license holders to one deck hand on a lobstering vessel at any time.

The bill also proposed to extend the Sunday harvesting prohibition to include all weekends between April 1st and November 1st, to limit harvesting time during all other days of the year to the period between 6 a.m. and 3 p.m., and to require 3 parlor section vents at least 1 7/8 inches in all lobster traps.

COMMITTEE AMENDMENT "A" (H-973) replaced the bill. The committee amendment requires the Commissioner of Marine Resources to adopt rules requiring the use of logbooks by licensed lobster harvesters. Individual records collected by the department must be treated as confidential and may not be disclosed in a manner or form that permits identification of any person or vessel. The committee amendment adds an allocation section and a fiscal note to the bill.

HOUSE AMENDMENT "A" (H-1017) allows the Commissioner of Marine Resources to borrow from the Seed Lobster Fund such funds as are necessary to hire the 1/2-time Marine Specialist I position authorized in Committee Amendment "A". Any money borrowed by the commissioner for those start-up costs must be repaid to the Seed Lobster Fund prior to the end of fiscal year 1994-95.