

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON  
MARINE RESOURCES  
BILL SUMMARY



JUNE 1987

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ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
JUNE 1987

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 summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "COMMITTEE" if it is a committee amendment.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD AN ACT TO CLARIFY THE EMERGENCY RULE-MAKING  
426 AUTHORITY OF THE COMMISSIONER OF MARINE  
RESOURCES.

PL 1987  
c. 100

Sponsor: MITCHELL, Rice, Salsbury, Holt  
Committee Report: OTP-A  
Amendments Adopted:  
H-67 COMMITTEE

SUMMARY: The Commissioner of Marine Resources is empowered to promulgate emergency regulations for:

- a. conservation and promulgation of marine organisms;
- b. prevention of gear conflicts; and
- c. closure of contaminated or polluted shellfish flats.

This bill makes the language for these activities consistent between sections and consolidates the procedures into one section.

Section 4 of the bill contains substantive changes. In the original bill, this section changed the procedures for emergency regulations by establishing a requirement and ten day time limit for the Commissioner to grant a public hearing regarding emergency regulations for conservation and gear conflicts. The Department argued that a cooling off period was needed in emergency situations. In response, the Committee amended the bill to require a public hearing within thirty days if requested in writing by five persons.

LD AN ACT RELATING TO TAKING OF SHAD IN ADDISON  
452 AND COLUMBIA FALLS.

ONTP  
EMERGENCY

Sponsor: RANDALL, Look, Farren  
Committee Report: ONTP-OTP

SUMMARY: This emergency bill would have allowed the taking of shad in the Pleasant River in the month of May. Currently, the Pleasant River is blocked with a hydropower dam with a poorly-designed fishway. In the past four years, only one shad has been recorded as passing through the fishway. The Committee, citing the need to conserve the fishery in hopes of rebuilding populations, voted ought not to pass.