

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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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 894 AN ACT CONCERNING HAND FISHING FOR SCALLOPS. LVWD

Sponsor: GREENLAW
Committee Report: LVWD

SUMMARY: This bill sought to increase the scalloping season by six weeks. It also would have exempted noncommercial scallopers from emergency closures due to gear conflicts. The sponsor withdrew the bill before the public hearing.

LD 921 AN ACT CONCERNING NONRESIDENT CLAM LICENSES. ONTP

Sponsor: VOSE, Look, Moholland, Randall
Committee Report: ONTP

SUMMARY: This bill proposed to increase the ceiling for how much a town can charge for a nonresident shellfish license from \$150 to \$250. It also gave a municipality discretion over whether to make unsold resident licenses available to nonresidents after the period of issuance. There were no proponents testifying on behalf of the bill.

LD 984 AN ACT CONCERNING RESIDENCY REQUIREMENTS FOR CLAM LICENSES. ONTP

Sponsor: VOSE, Moholland
Committee Report: ONTP

SUMMARY: This bill sought to establish proof of residency for clambers to obtain a resident municipal shellfish license. Currently, these decisions are left to the town's discretion, without a consistent policy. DMR agreed to develop guidelines for towns to use in evaluating the policy.

LD 1205 AN ACT RELATING TO THE ENHANCEMENT AND PRESERVATION OF MARINE RESOURCES. LVWD

Sponsor: SCARPINO
Committee Report: LVWD

SUMMARY: This bill has three major components: a fisheries enhancement program, lobster license requirements, and the elimination of the class C designation for marine waters.

1. Fisheries Enhancement - The first portion of the bill outlined a proposed fisheries enhancement initiative composed of hatcheries, habitat protection and habitat development programs. Cooperative research for commercial fisheries would be strengthened through the Sea Grant Program and a proposed extension service in DMR. License fees would have been increased to help fund this work. Under the new scheme, \$25 of the license fee would be allocated to the General Fund and \$25 to DMR enforcement efforts, with the remaining portion going to the enhancement program.

2. Lobster licenses - The bill also outlines a system for controlled entry into the lobster fishery and lobster trap limits. Under this proposal six categories of licenses would be issued with the following allowable trap numbers and requirements:

- | | | |
|-------|----|--|
| Class | A. | 800 traps - must earn 50% of income from lobster fishing over the last 3 years |
| | B. | 400 traps - must have 2 years of experience |
| | C. | 400 traps - must be over 17 |
| | D. | 25 traps - must apply during March |
| | E. | 0 traps - only for sternman with class A fisherman |
| | X. | unlimited traps - offshore fishing - must be eligible for class A license. |

If a lobsterman was using more than the allowable number of traps for his category, he would reduce that number by 10% per year until the specific number was reached. The Commissioner of DMR would be allowed to further reduce trap numbers for each class after the program has been in effect for five years.

A license application must be accompanied by a CPA report to verify income requirements, although previous license holders are grandfathered. There is an appeals process and a waiver for disabilities or illness. The proposal also includes a 2 year apprenticeship program to be designed by the commissioner and an advisory panel. There were miscellaneous provisions included to extend the prohibition on Sunday lobstering and ban on evening lobstering.

The proposal also allowed landing of oversized lobsters by offshore fishermen provided they were caught in lobster traps, were landed in sealed containers, and manifested.

The lobster management fund proposed in this bill was basically comparable to the current program except that it would include a tagging program and there was no provision for the Lobster Advisory Council.

3. Class C waters - The last sections of the bill repealed all the provisions for Maine's class C waters, to require that all marine waters meet the requirements of class A or B. Currently, discharges to class C areas are allowed to cause some changes to estuarine and marine life, as long as the ecosystem as a whole continues to function.

The sponsor trimmed down the bill in work session to include only a provision for developing a marine preserves program. However, a fiscal note of over \$40,000 was attached to the bill and the committee felt it would not pass through the appropriations committee. The sponsor withdrew the bill.

LD AN ACT TO ENCOURAGE SPORT FISHERIES ON THE ND LD 1710
1253 LOWER KENNEBEC AND ANDROSCOGGIN RIVERS.

Sponsor: MCGOWAN, Weymouth, Dow, Cahill
Committee Report: OTP-ND LD 1710

SUMMARY: See New Draft LD 1710.

LD RESOLVE, TO STUDY THE HUMAN HEALTH AND ND LD 1825
1265 ENVIRONMENTAL HAZARDS OF TRIBUTYL TIN IN
ANTIFOULING PRODUCTS.

Sponsor: COLES, Perkins, Rice, Holt
Committee Report: OTP-ND LD 1825

SUMMARY: See New Draft LD 1825.

LD AN ACT CONCERNING MUSSEL HARVESTING. PL 1987
1326 c. 328

Sponsor: COLES, Rice, Mitchell, Crowley
Committee Report: OTP-A
Amendments Adopted:
H-187 COMMITTEE

SUMMARY: LD 1326 removes mussels from the general shellfish definition and provisions and establishes a separate subchapter to regulate their harvest. A hand-raking license and boat license are established. The bill also includes the general provisions for taking mussels from areas closed due to red tide. This action was recommended by a legislative study on blue mussel harvesting in 1986. No opponents testified against the legislation.

A committee amendment decreased the fees for these licenses to make them more consistent with other fishery licenses.