

# 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

PREPARED BY:

Gro Fletebo, Legislative Analyst

OFFICE OF POLICY AND LEGAL ANALYSIS  
STATE HOUSE, STATION 13      AUGUSTA, MAINE 04333  
(207) 289-1670

HELEN T. GINDER, DIRECTOR  
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GRO FLATEBO  
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WILLIAM T. GLIDDEN, JR.



STATE OF MAINE  
**OFFICE OF POLICY AND LEGAL ANALYSIS**

ROOM 101/107  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL.: (207) 289-1670

JULIE S. JONES  
JOHN B. KNOX  
EDWARD POTTER  
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ONE HUNDRED AND THIRTEENTH LEGISLATURE  
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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

was a mistake in the bill and that the intent was to increase the Commission by adding two public members.

The new draft incorporates this change, increases the compensation for the public members and sets forth a schedule for appointments during the transition to a larger commission. A Senate amendment (S-97) was adopted to provide an emergency preamble to the bill.

The second Senate amendment (S-249) removed the appropriation section as the funding was included in the part II budget.

LD            AN ACT TO AMEND THE LAW PROHIBITING SCALLOPING            LVWD  
1383        AND DRAGGING IN THE FRENCHBORO AREA.

Sponsor:    ZIRNKILTON  
Committee Report:    LVWD

SUMMARY: This bill sought to allow hand-scalloping in the Frenchboro cable area. A large portion of water surrounding the power cable that connects Frenchboro to the mainland has been closed to scalloping because scallop drags have frequently broken the cable, shutting off the island's power supply. The sponsor argued that hand-fishing for scallops was not a threat to the cable and therefore should be allowed. The area has not been designated a conservation zone.

The committee felt that any closure of the area for scallops should extend to all methods of fishing both for fairness and enforcement reasons.

LD            AN ACT REGARDING LOBSTER FISHING.            ONTP  
1386

Sponsor:    MANNING, Ketover  
Committee Report:    ONTP

SUMMARY: This bill had two main components. First, it proposed to allow the landing of oversized lobsters caught at least 3 miles offshore, provided they were consigned to DMR-approved containers. The bill also proposed to allow the "incidental" catch of lobster, while fishing for other marine species at least 3 miles offshore. This provision would have allowed the landing of dragged lobsters in state.

The first component of the bill addressed the problem that oversized lobsters caught in the Gulf of Maine are being landed in the ports of Portsmouth, Boston, Gloucester, and New Bedford, negating the conservation impact of the

present restriction. Many offshore fishing boats land 500 to 1000 pounds of lobster in out-of-state ports each trip. This incidental catch, known as "shack", is split among the crew and can bring them a bonus of up to several thousand dollars a trip. The crew decides where the boat will land. This practice puts Maine ports at a disadvantage. It is felt that this situation undermines the strength of Maine ports, especially Portland and the new fish auction. One of the proponents suggested a tighter restriction on lobster sizes, a season for oversized lobsters that corresponds to the scallop season, and a size restriction on boats able to land these lobsters.

There was strong opposition to this bill from within the lobster industry. Opponents testified that the dragging provision is a direct threat to the traditional fishery and that economic gains for draggers would translate into losses for traditional fishermen. They also claimed that dragged lobsters are an inferior product and that the size range allowed in the bill is the prime market size, thus allowing them to cream the market.

The Department of Marine Resources opposed the bill on the grounds that enforcement would be virtually impossible.

LD AN ACT TO STRENGTHEN THE LOBSTER HATCHERY  
1425 PROGRAM.

PL 1987  
c. 406  
EMERGENCY

Sponsor: VOSE, Randall, Crowley  
Committee Report: New Draft of LD 85  
Amendments Adopted:  
S-180 PEARSON

SUMMARY: The original bill increased the percentage of the costs that could be covered by the lobster hatcheries grant program from DMR from 50% to 100%. It also expanded the items that could be covered under the grants to include equipment and maintenance. The bill included a provision to allow the commissioner to request monies from the General Fund if the Lobster Fund will not cover all the projected costs. A \$20,000 appropriation from the General Fund also was included.

The new draft reiterates the role of the Lobster Advisory Council in authorizing how the Lobster Fund will be spent. It deletes the 50% cap on funding a hatchery and the specific costs that can be covered under a hatchery grant. It also increases the General Fund appropriation to \$25,000 for two years. An emergency preamble was added to the bill so these monies would be available in the early summer.