

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

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.

The bill was amended in the Senate to remove the appropriation and broaden the scope of funding sources available to the program.

LD 1439 AN ACT TO ESTABLISH AN EXEMPTION FROM THE WASTE WATER DISCHARGE LICENSING REQUIREMENTS FOR OWNERS AND OPERATORS OF MARINE AQUACULTURE OPERATIONS. ND LD 1707 EMERGENCY

Sponsor: PERKINS, Look, Vose, Moholland
Committee Report: OTP-ND LD 1751

SUMMARY: See New Draft LD 1751.

LD 1531 AN ACT TO CLARIFY THE ORGANIZATION OF THE MAINE SARDINE COUNCIL. ND LD 1707

Sponsor: MATTHEWS Z, Rice, Look, Salsbury
Committee Report: OTP-ND LD 1707

SUMMARY: See New Draft LD 1707.

LD 1568 AN ACT CONCERNING THE TAKING OF SMELTS. PL 1987 c. 173

Sponsor: LOOK, Rice, Brawn
Committee Report: New Draft of LD 770

SUMMARY: The original bill would have legalized variances in smelt regulations to allow for more flexible regulation of the fishery. Several rivers have adjusted seasons and harvest methods that were allowed through Private and Special Laws adopted in the 1930s and 1950s. As a result of a Department reorganization and recodification of the statutes, the Private and Special Laws were adopted as regulations. These regulations are superceded by a statutory statewide season that specifies the fishing method and dates.

The new draft repeals the statutes concerning smelt. The committee felt it was counter productive to have statutes that can be superceded by the commissioner's regulations and if the fishery needs more flexible management then it should all be done through regulation.