

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 AN ACT TO AMEND THE 2-INCH CLAM LAW.
1622

ONTP

Sponsor: BEGLEY
Committee Report: New Draft of LD 841 Minority Report

SUMMARY: The original bill sought to repeal the 2 inch clam law and allow municipalities the discretion of limiting the size of clams taken in their jurisdiction. The committee heard arguments from both opponents and proponents on the success of the program. The 2 inch clam law is scheduled for legislative review in the next session. The Committee felt it was appropriate to consider this measure at that time.

A minority of the committee reported a new draft, LD 1622, to clarify provisions for nonresident licenses in towns with reciprocal agreements and increase the percentage of nonresident licenses required in each municipality. The Senate accepted the majority ought not to pass.

LD AN ACT TO CLARIFY CERTAIN ERRORS AND
1628 INCONSISTENCIES IN MARINE RESOURCES LAW.

ND LD 1836

EMERGENCY

Sponsor: CAHILL, Rice, Look, Crowley
Committee Report: OTP-ND LD 1836

SUMMARY: See New Draft LD 1836.

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

PL 1987
c. 333
EMERGENCY

Sponsor: MATTHEWS Z, Rice, Look, Salsbury
Committee Report: New Draft of LD 1531
Amendments Adopted:
H-223 MITCHELL

SUMMARY: This bill amends the composition of the Maine Sardine Council to include only five members. When the Maine Sardine Tax Law was enacted in 1951, nearly 40 companies were packing sardines in this State. Today only 6 companies are packing sardines in this State.

Current law requires that the council is to consist of no less than 7 members. With only 6 companies operating in this State, this requirement could not be met without some uneven representation. In order to avoid this problem, this bill changes the statute to allow the council to consist of no less than 5 members. It has become

increasingly difficult to establish the quorum necessary in order for the council to conduct its business during a meeting with only 6 council members. The bill therefore provides for the appointment of alternate council members but provides that each company be limited to representation by only one voting member at each meeting and that expenses only be reimbursed to one individual from each company when more than one representative has incurred expenses in the performance of the same council duties.

The new draft reformats this section of the statutes and corrects two errors involving voting rights and reimbursements for members and alternates.

A house amendment added an emergency preamble to these provisions and decreased the number of members required for a quorum.

LD	AN ACT TO REGULATE FRESHWATER FISHERIES IN	PL 1987
1710	COASTAL WATERS.	c. 312

Sponsor: MCGOWAN, Weymouth, Dow, Cahill
Committee Report: New Draft of LD 1253.

SUMMARY: LD 1253, the original bill, sought to give the commissioner of Inland Fisheries and Wildlife authority to regulate freshwater fisheries in Merrymeeting Bay and the Kennebec River to the head of tide. Although these waters support substantial populations of freshwater fisheries, they are classified as coastal and under the purview of the Department of Marine Resources. These fisheries are not now regulated and no seasons, size or bag limits apply. Fishing licenses also are not required.

The new draft gives the commissioner of Marine Resources authority to regulate freshwater fish species in all coastal waters after consulting with the commissioner of Inland Fisheries and Wildlife. A proposal to license fishermen in these waters was rejected.

LD	AN ACT TO AMEND THE SARDINE TAX.	INDEF. PP
1711		EMERGENCY

Sponsor: VOSE
Committee Report: New Draft of LD 21
Amendments Adopted:
H-258 MITCHELL

SUMMARY: Currently, the sardine industry pays for their own inspection costs and they are stringently monitored by the Department of Agriculture. The sardine industry pays