

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								

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.

LDAN ACT TO REGULATE FRESHWATER FISHERIES INPL 19871710COASTAL WATERS.c. 312

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

<u>SUMMARY:</u> 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	ΤO	AMEND	THE	SARDINE	TAX.		INDEF.	PP
<mark>1711</mark>										

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

Office of Policy and Legal Analysis......page 19 Marine Resources an Inspection Tax of between 8¢ and 20¢ per case of sardines and 5¢ to 13¢ per case of kippers and steaks to fund this program. They also are subject to a Sardine Excise Tax of 30¢ per case to fund the activities of the Maine Sardine Council. The original bill proposed to repeal the inspection tax, and have the costs picked up by the General Fund. After much back and forth, a compromise position was reached and is embodied in the new bill.

The Maine Sardine Council proposed to change the sardine inspection program in three basic ways:

1. Cost-share the inspection program between the sardine industry and the General Fund. The sardine inspection tax would be reduced from the current 15¢ to 20¢ per case rate to 8¢ to 15¢ per case.

2. The Maine Sardine Council would take over from the Department of Agriculture establishing grades for sardines, steaks and kippers. The Department of Agriculture would retain their authority to embargo goods.

3. The sardine excise tax would increase by 5¢ per case to 35¢ per case to fund personnel within the Maine Sardine Council to implement the grading program.

The fiscal note was changed by House Amendment A to more accurately reflect the General Fund allocation needed to fund the program. However, this bill did not receive any funding.

LDAN ACT TO ESTABLISH AN EXEMPTION FROM THE WASTEPL 19871751WATER DISCHARGE LICENSING REQUIREMENTS FORc. 372OWNERS AND OPERATORS OF MARINE AQUACULTUREEMERGENCYOPERATIONS..

Sponsor: PERKINS, Look, Vose, Moholland Committee Report: New Draft of LD 1439

SUMMARY: This bill sought to exempt aquaculture activities from acquiring a waste water discharge license for food or medicinal substances, requiring certification from the Department of Environmental Protection (DEP) instead. The certification process differs from the licensing in that there is no period for public comment (presumably this would be covered during public hearings for the lease), there is no license fee, certification does not lapse or need to be renewed unless the activities on the lease change, and the process takes two to four weeks versus fourteen to sixteen weeks. DEP review for licensing and certification would not differ.