

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

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.

LD
1751

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

PL 1987
c. 372
EMERGENCY

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.

The purpose of the bill is to avoid a dual licensing requirement for aquaculture operations and to allow for efficient processing of lease applications.

The original bill proposed certifying discharges after leases were granted. The new draft proposes certification from DEP prior to the commissioner of Marine Resources granting the lease.

LD AN ACT CONCERNING THE USE OF TRIBUTYLTIN AS AN
1825 ANTIFOULING AGENT.

PL 1987
c. 474

Sponsor: COLES, Perkins, Rice, Holt
Committee Report: New Draft of LD 1265
Amendments Adopted:
H-326 COLES

SUMMARY: The use of organic tin compounds, primarily tributyltin (TBT), has become widespread in many antifouling bottom paints for boats and ships. This material is also used in "trap dip," a preservative for wooden lobster traps.

State lobstermen, the State's congressional delegation, the state toxicologist and the United States Environmental Protection Agency have expressed concern over the human health and environmental hazards that tributyltin and other chemicals used in trap dip may pose.

The original bill called for preliminary recommendations for regulation on the sale and use of tributyltin and trap dip within the State. It also funded a first-cut study, led by the Department of Environmental Protection, to assess the level of use of tributyltin and other materials used in trap dip, current application and disposal methods and potential environmental or health hazards.

The committee, citing the toxicity of the compound and state level action in Virginia, Maryland and Alaska recommended a statewide ban modeled after legislation passed in Virginia.

It instigates a statewide ban of the use of TBT for marine-related uses. Exemptions are allowed for commercial boatyards to apply TBT to vessels over 75 meters in length and to aluminum-hulled boats for which no anti-fouling alternative exists. An exemption also is allowed for the use of TBT on outboard motors.

A House amendment (H-326) was adopted to further limit the restriction on release rates from 5.0 micrograms per square centimeter to 3.0 micrograms per square centimeter to more effectively ban "free association" paints.