

# 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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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

LD  
1836

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

PL 1987  
c. 513  
EMERGENCY

Sponsor: CAHILL, Rice, Look, Crowley  
Committee Report: New Draft of LD 1628  
Amendments Adopted:  
S-279 PEARSON

SUMMARY: This is an omnibus bill for the Marine Resources statutes. It clarifies statutory language to distinguish where the Atlantic States Marine Fisheries compact applies, clarifies a specific time during which a legal prohibition on taking alewives shall be in effect, corrects a statutory reference to law enforcement officers of all jurisdictions in Maine, and exempts crawfish kept and sold for bait from the crawfish licensing requirements.

Section 4 repeals the old exception for wholesale lobster dealers and section 5 enacts a new provision to allow wholesale dealers to remove lobsters from out-of-state from their original shipping crates to store in containers specified by the commissioner of the Department of Marine Resources.

The bill also corrects a statutory reference to lobster and crab license fees to make it consistent with current rates and clarifies that striped bass must be kept whole until the fish is prepared for immediate consumption. The common practice of filleting or steaking striped bass when caught prevents law enforcement officers from determining that fish are of legal size.

A major component of the bill repeals the technically flawed tax on mahogany quahogs replacing it with an excise tax equivalent to the same 8% of landed value. Tax revenues will provide the State with the resources necessary to implement an effective paralytic shellfish poison monitoring program for mahogany quahogs. Although the tax is currently on the books, it is unenforceable. This tax will support the equipment and personnel needed to allow the State to identify and keep open noninfected areas in a confident and timely manner and is expected to generate approximately \$140,000 annually.

The original draft contained language defining internal waters and the territorial sea and specified which waters certain laws pertained to. However, problems with the wording of the definition and a lack of time resulted in the committee postponing action on those sections.