

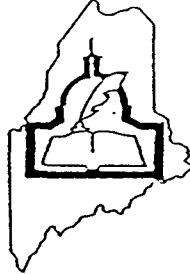
# MAINE STATE LEGISLATURE

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STATE OF MAINE  
114TH LEGISLATURE  
FIRST REGULAR SESSION



BILL SUMMARY  
JOINT STANDING COMMITTEE  
ON  
MARINE RESOURCES

JULY 1989

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Sen. Linda Curtis Brawn

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Rep. John F. Marsh

\* Denotes Chair

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ONE HUNDRED AND FOURTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1989

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 for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

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

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
COLES	OTP-AM	S-261    BRANNIGAN
SKOGLUND		
HUTCHINS		
ESTES		

SUMMARY

This bill makes possession of lobsters caught illegally a Class D crime and imposes a mandatory fine. In addition, this bill requires persons using traps or other containers to store lobsters in the coastal waters to clearly mark each trap or container with their wholesale or fishing license number and authorizes marine patrol officers to seize unmarked lobster containers that are in violation of the law and return the lobsters to their natural habitat.

**LD 955**      An Act Concerning Municipal Regulation of Shellfish  
Resources

PUBLIC 257  
EMERGENCY

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
CLARK N	OTP-AM	H-364    MITCHELL
COLES		S-141
RYDELL		S-151    BUSTIN
PRIEST		

SUMMARY

Compliance with the National Shellfish Sanitation Program will require that many of the classified shellfish growing areas in the State be closed to shellfish harvesting, pending the completion of field evaluations. Under current law, municipalities with shellfish ordinances that will be subject to the harvesting closures would be unable to manage or regulate shellfish resources. This law permits municipalities to regulate shellfish growing areas that are closed for harvesting by regulation of the commissioner.

The committee amendment replaced the original bill and provided a procedure for municipal officials to obtain approval to manage their shellfish resources by request to the Commissioner even though the area has been closed by regulation. It also made it clear that a municipality may issue licenses under its shellfish conservation ordinance even though the area has been closed by regulation.

The house amendment to the committee amendment added 2 provisions concerning nonresident licenses to the committee amendment. It required the total number of commercial licenses for nonresidents provided by those municipalities which have entered into an agreement with one another for joint or cooperative licensing action under their shellfish ordinances to be not less than 10% of the combined total number of licenses issued for residents. The amendment also prohibited shellfish conservation ordinances from discriminating between residents and nonresidents once they have obtained a shellfish license. These provisions will take effect January 1, 1990, to avoid interfering with the current clam season.

In addition, the House amendment restructured the Maine Revised Statutes, Title 12, section 6671, subsection 3 into 2 subsections, subsections 3 and 3-A in order to clarify the current law.