

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
MARINE RESOURCES**

AUGUST 1991

Staff:
Patrick Norton, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207) 289-1670*

MEMBERS:

**Sen. Harry L. Vose
Sen. Stephen C. Estes
Sen. Robert R. Gould*

**Rep. James Mitchell
Rep. James Reed Coles
Rep. Maria Glen Holt
Rep. Virginia Constantine
Rep. James G. Skoglund
Rep. George A. Townsend
Rep. E. Michael Swazey
Rep. Theone F. Look
Rep. Charles H. Heino
Rep. Frank H. Farren*

**Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
RON CLARK
RYAN M. DYTTER
BRO FLATEBO
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

LD 163 An Act to Amend the Shellfish Licensing Laws

**PUBLIC 29
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
RYDELL	OTP	H-34 COLES
CLARK N		
HOLT		
COLES		

SUMMARY

This bill proposed to raise the limit on the fee for shellfish licenses for nonresidents from \$150 to \$300 and to raise the \$100 - \$1,000 range of the fine for taking or possessing shellfish contrary to a municipal ordinance to a \$500 - \$1,500 range.

House Amendment "A" (H-34) replaced the bill. The amendment established fines of \$500 to \$1,500 for digging shellfish in a closed area or digging shellfish without a license and fines of \$100 to \$1,000 for violations of any other municipal shellfish conservation ordinances.

LD 189 An Act to Limit the Number of Workers on Lobster Boats

LV/WD

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BRANNIGAN	LV/WD	

SUMMARY

This bill proposed to limit the number of people working on a lobster boat to 2. The bill also proposed technical and grammatical corrections to the law.

LD 234 An Act to Delay the Minimum Lobster Gauge Increases

**PUBLIC 31
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ESTES	OTP-AM	S-25
MITCHELL J		
LOOK		
HOLLOWAY		

SUMMARY

The bill would have retroactively repealed the increase in the minimum lobster size and retained a minimum size of 3 8/32 until March 1, 1993. On that date, the minimum size would have begun increasing by 1/32 of an inch per year, March 1, 1994. The bill also would have required the Joint Standing Committee on Marine Resources to hold public hearings to review the results of any new research concerning the lobster measure, including any federal lobster marketing study during the summer of 1992. The committee would have been authorized to report any legislation resulting from the investigation to the Legislature by January 1, 1993.

Committee amendment "A" (S-25) replaced the bill. The amendment established the state minimum lobster size at 3 8/32 inches, with 2 annual increases of 1/32 of an inch contingent upon written certification by the Attorney General that the United States Secretary of Commerce and the states of New Hampshire, Massachusetts, Connecticut and Rhode Island have adopted a minimum lobster size and a schedule of minimum size increases that conform to those in this amendment. The amendment struck the schedule for minimum lobster size increases contained in the bill, the requirements for public hearings on the lobster measure and the report to the Legislature, but retained the bill's retroactivity provision. The amendment also requires the Commissioner of Marine Resources to report to the Joint Standing Committee on Marine

Resources on the biological and economic effects of an increase in the minimum lobster size prior to the effective date of the increase.

LD 249 An Act to Make Changes in the Quahog Tax Laws

PUBLIC 561

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LOOK VOSE TOWNSEND	OTP-AM	H-107

SUMMARY

This bill established a dedicated "Toxin Monitoring Fund" to be administered by the Department of Marine Resources to provide toxin testing of quahog beds along Maine's coastal waters.

Committee amendment "A" (H-107) replaced the bill. The amendment established a nonlapsing Toxin Monitoring Fund within the Department of Marine Resources to fund the collection of samples for the monitoring of paralytic shellfish toxin in mahogany quahogs. The Toxin Monitoring Fund is a dedicated account, funded by the mahogany quahog tax under the Maine Revised Statutes, Title 36, chapter 714, and is capped at \$16,000 per year. Revenues collected under the mahogany quahog tax in excess of \$16,000, plus any cost incurred by the State Tax Assessor for administering the tax, are returned to the General Fund.

**LD 316 An Act to Conform Seasonal Restrictions on Mussel Dragging
to Those Governing Scallop Harvesting**

LV/WD

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
RUHLIN BRAWN MITCHELL J TOWNSEND	LV/WD	

SUMMARY

This bill proposed to change the mussel season to conform to the scallop season. This bill was intended to decrease the damage to lobster traps and gear that is caused by mussel dragging in the summer.

**LD 353 An Act to Ensure Adequate Stocking of Washington County
Atlantic Salmon Rivers**

ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
VOSE TOWNSEND LOOK	ONTP	

SUMMARY

This bill proposed to require the Atlantic Sea Run Salmon Commission to allocate a minimum of 15% of its total Atlantic salmon smolt production to Washington County Atlantic salmon rivers in any year it conducts a stocking program.