

# MAINE STATE LEGISLATURE

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**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*

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

KAREN L. HRUBY  
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**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:

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

Shellfish Advisory Commission. The Lobster and Shellfish Advisory Commission would have been similar to the Lobster Advisory Council except that the membership would have been expanded from 11 to 13 members by the addition of 2 members who hold licenses to harvest clams.

**LD 1359 An Act to Make Revisions in the Marine Resource Laws**

**PUBLIC 390**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
VOSE	OTP-AM	H-507 MITCHELL J
GOULD R R		S-150
FARREN		S-165 VOSE

**SUMMARY**

This bill clarifies and amends various sections of the marine resource laws to make enforcement of the statutes more consistent. This bill:

1. Provides for control of transfer of contaminated marine organism products originating in this State;
2. Amends the laws to refer to marine organisms instead of marine species, which by definition does not include shellfish, in reference to shellfish harvesting area closures;
3. Streamlines notification of license suspension by mailing the notice in a manner consistent with the Department of the Secretary of State, Division of Motor Vehicles' mailing policy mandated by statute;
4. Clarifies license suspension procedures so the Commissioner of Marine Resources may not reduce suspensions set by statute;
5. Allows the introduction of wood preservatives in coastal waters if they meet the standards of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control;
6. Amends the laws to allow unorganized territories through their county commissioners to continue enacting municipal shellfish management ordinances;
7. Includes activities of mahogany quahog fishery crew members under the mahogany quahog license holder's license; and
8. Allows the Commissioner of Marine Resources to adopt rules designating the minimum size of lobster meat that may be removed from the tail section.

Committee amendment "A" (S-150) added a requirement that the commissioner mail notices of license suspensions by certified mail, rather than by regular mail. The amendment also clarified that ordinances adopted by unorganized territories, as well as those adopted by municipalities, must receive the written approval of the commissioner prior to their adoption.

House amendment "A" (H-507) struck the provision in the bill that was inadvertently retained in the committee amendment. Senate amendment "A" (S-165) deleted a new definition of resident that would conflict with current marine resources licensing provisions.