

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

SECOND REGULAR SESSION

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

MAY 1992

Staff:
Patrick Norton, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

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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

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

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 far right of the title. Various types of final action are abbreviated as follows:

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

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, especially Laurette Knox who coordinated preparation of the overall document.

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

not pass, that Resolve was amended by Committee Amendment "A" to LD 2076, An Act to Make Revisions in Marine Resource Laws.

LD 2062 An Act to Allow Transfer of Commercial Moorings

PUBLIC 685

SPONSOR(S)
LAWRENCE

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-946

SUMMARY

In its original form, this bill would have authorized harbor masters to transfer commercial fishing moorings.

Committee amendment "A" (H-946) replaced the entire bill. The amendment allows a municipality to adopt an ordinance permitting the transfer of a mooring assignment used for commercial fishing purposes to a member of the assignee's family, provided that the mooring assignment continues to be used for commercial fishing purposes.

LD 2064 An Act to Provide an Exemption to the Sunday Fishing Ban When a Storm Advisory or Storm Warning Is in Effect

PUBLIC 678

SPONSOR(S)
HEINO
VOSE
HOLLOWAY
FARREN

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-947

SUMMARY

This bill would have permitted people to haul lobster traps between 4 p.m. on Saturday and 7 a.m. on Monday between June 1st and August 31st if a storm advisory or storm warning is in effect.

Committee amendment "A" (H-947) clarifies that a hurricane warning issued by the National Weather Service must be in effect to permit the lawful raising, hauling or transfer of lobster traps in coastal waters during those hours.

LD 2076 An Act to Make Revisions in Marine Resource Laws

PUBLIC 784

SPONSOR(S)
LOOK
GOULD R R
MITCHELL J
HEINO

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-1079
H-1158 COLES

SUMMARY

In its original form, this bill corrected allocation errors in 2 marine resources laws enacted during the First Regular Session of the 115th Legislature.

Committee amendment "A" (H-1079) added provisions to the bill that increase the maximum permitted fee for municipal shellfish licenses, repeals the minimum quahog size, reenacts language pertaining to the embargo authority of the Maine Sardine Council and makes technical reference corrections to existing law. The amendment also amends Resolves 1991, chapter 39, in a manner that limits the duration of the authority granted to the Department of Marine Resources to convey certain properties to the Bigelow Laboratory for Ocean Sciences.

2 •Marine Resources

House amendment "A" (H-1158) designates the Department of Marine Resources as the state agency responsible for administering any national seafood inspection program implemented by the federal government and requires that such a program conform to the Maine food law. In order to avoid duplication of inspection, the amendment exempts state facilities enrolled in a national seafood inspection program from licensing under the Maine food law. The amendment also strikes language in the committee amendment pertaining to the authority of the Maine Sardine Council to embargo sardines, kippers or steaks and adds a section that resolves a conflict created by the enactment of 2 Public Laws amending the same subsection. An application clause is also added that gives municipalities until July 1, 1993 to bring shellfish conservation ordinances into compliance with the shellfish license fee changes enacted in the bill.

LD 2083 An Act Concerning the Stocking of Atlantic Salmon in Maine Rivers

**PUBLIC 679
EMERGENCY**

SPONSOR(S)
TOWNSEND
VOSE
FARREN

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-969

SUMMARY

The intent of this bill was to provide for the stocking of Maine rivers using commercially raised aquaculture salmon stock. The bill would have required the Department of Inland Fisheries and Wildlife to adopt rules to carry out the stocking program.

Committee amendment "A" (H-3038) strikes all reference to the Department of Inland Fisheries and Wildlife and inserts in its place references to the Atlantic Sea Run Salmon Commission. The amendment also changes the language in the bill to permit, rather than to require, the acceptance of salmon stock and requires the Atlantic Sea Run Salmon Commission to report to the joint standing committee of the Legislature having jurisdiction over marine resources matters on those stocking activities by March 1, 1993.

LD 2200 An Act to Prevent the Poaching of Aquaculture Products

**PUBLIC 876
EMERGENCY**

SPONSOR(S)
SKOGLUND
VOSE
LOOK
TOWNSEND

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-1016
H-1100 MITCHELL J
S-771 BRANNIGAN

SUMMARY

This bill would have required records to be kept on the sale and possession of American oysters and salmon raised by aquaculture. The bill also would have required the Commissioner of Marine Resources and the aquaculture industry to establish an education program to inform the public and enforcement authorities about the illegality of possessing hatchery-reared American oysters and salmon without proper certification.

Committee amendment "A" (H-1016) replaced the entire bill. The amendment establishes a cultchless American oyster growers license at an annual fee of \$10 and makes the possession of a cultchless American oyster prior to the point of retail sale a Class D crime, subject to a penalty of not less than \$1,000,