

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

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**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.

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,

unless the person possessing the oyster is either a licensed grower, employed by a licensed grower or in the possession of a bill of sale that includes the license number of the grower.

House amendment "A" (H-1100) makes technical corrections to the committee amendment.

Senate amendment "B" (S-771) adds a fiscal note and clarifies that the committee amendment does not impose a mandate on local or county government.

LD 2271 An Act Regarding Dragging for Scallops in the Swan's Island Cable Area LV/WD

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

SUMMARY

This bill would have repealed the provisions of Title 12 that allow the Commissioner to adopt rules permitting the taking of scallops in the Frenchboro area around the Swan's Island cable area.

LD 2404 An Act to Assist the State's Shellfish Industry PUBLIC 831 EMERGENCY

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
SKOGLUND	OTP-AM MAJ	H-1193 MAJ REP
SPEAR	ONTP MIN	
HEINO		
MAYO		

SUMMARY

The bill proposed several changes to the law regarding licensing and hiring of shellfish harvesters engaged in depuration digging.

Committee amendment "A" (H-1193) requires depuration certificate holders to pay municipalities 50¢ for each bushel of soft-shelled clams harvested in that municipality under a depuration certificate. The amendment also requires that, to the extent possible, depuration certificate holders employ residents of the municipality in which the harvesting occurs in equal proportion to employees who are not residents of that municipality.