

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
MARINE RESOURCES

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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:

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

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

4693NRG

**SUMMARY**

This bill proposed to allow municipalities to regulate ice-fishing shacks within their boundaries.

Committee amendment "A" (H-341) replaced the bill. The amendment allows a municipality to enact an ordinance regulating ice fishing shacks on sources of public water supply, or portions of those water supply sources, located within that municipality. The amendment also clarifies that the general prohibition on municipal regulation of ice fishing shacks in the Maine Revised Statutes, Title 12, section 7035, subsection 1, paragraph B, does not apply to coastal waters.

**LD 273 An Act Creating the Groundfish Hatchery Study Commission**

**PUBLIC 194  
EMERGENCY**

**SPONSOR(S)**  
MITCHELL J

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-271

**SUMMARY**

This bill proposed to establish a Cod Hatchery Fund. Money in the fund was to be used to establish and operate 2 cod hatcheries, one of which was to be located at the Bigelow Laboratory for Ocean Sciences in West Boothbay Harbor. The bill also proposed to increase commercial fishing license fees by \$100 per license to provide the revenues necessary to establish and operate the cod hatcheries. The fee increase was to be effective for commercial fishing licenses sold for each calendar year, beginning with licenses sold for calendar year 1994.

Committee amendment "A" (H-271) replaced the bill. The amendment establishes the Groundfish Hatchery Study Commission to study issues relating to the groundfish fishery in the State. The study has 2 phases. Phase I of the study focuses on determining the economic feasibility of producing hatchery-raised groundfish in the State. The commission must report its Phase I findings to the Joint Standing Committee on Marine Resources no later than January 1, 1994. Phase II of the study focuses on other issues critical to the groundfish fishery, including determining the need for one or more groundfish hatcheries, the appropriate methods for revitalizing localized schools of groundfish and the tendency of groundfish to return to their breeding area. Phase II also includes a study of the relationship between hatchery-raised groundfish and wild groundfish populations to determine the impacts of introducing hatchery-raised groundfish into the groundfish fishery. The commission must report its Phase II findings to the Joint Standing Committee on Marine Resources no later than January 1, 1995.

The Groundfish Hatchery Fund and the Groundfish Hatchery Study Commission are repealed on July 30, 1995. On that date, any unencumbered money in the fund is deposited into the General Fund.

The Groundfish Hatchery Study Commission is funded by a \$10 surcharge on commercial fishing licenses issued for calendar year 1994. To allow the commission to begin its study immediately, however, this amendment authorizes the State Controller to provide a working capital advance of \$10,000 to the commission. The Commissioner of Marine Resources is required to repay this working capital advance with revenues raised from the license surcharge no later than June 30, 1994.

**LD 308**

**An Act to Prohibit Persons Harvesting Sea Urchins from Harvesting Lobsters**

**ONTP**

**SPONSOR(S)**  
SUMMERS

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill would have prohibited the simultaneous possession or transport of sea urchins and lobsters aboard any registered vessel by a person licensed to harvest sea urchins by hand. The substance of this bill was incorporated into Committee amendment "A" of LD 140.

**LD 311      An Act Concerning Shellfish Licenses      ONTP**

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
BUSTIN                                      ONTP

**SUMMARY**

This bill would have required municipalities that have adopted shellfish conservation ordinances to issue a municipal shellfish license to any person holding a state shellfish harvesting license.

**LD 328      An Act to Establish a Season for Sea Urchin Fishing in a Restricted Area      ONTP**

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
HEINO    ONTP

**SUMMARY**

This bill would have established a season for handfishing and dragging of sea urchins in a restricted area.

**LD 352      An Act to Amend the Lobster Dealer License Fee      ONTP**

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
ZIRNKILTON                                      ONTP

**SUMMARY**

This bill would have required the Commissioner of Marine Resources to adopt rules establishing a license fee for wholesale lobster dealers that reflects the annual volume of lobsters the dealer is authorized to purchase, sell, process, ship or transport. The current fee for a wholesale seafood license with a lobster permit would have been amended to reflect the fee structure established by the commissioner.

**LD 424      An Act to Establish Scallop Drag Sizes for Waters within the 3-mile Limit      ONTP**

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
VOSE    ONTP

**SUMMARY**

This bill would have set a size limit on certain drags used in the State's coastal waters. The bill charged the Commissioner of Marine Resources with the task of identifying vulnerable areas and areas where the potential for gear conflicts is high.