

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
MARINE RESOURCES

MAY 1994

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

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

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, 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

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

LD 1688

An Act to Increase Penalties for Violation of Lobster Fishing Laws

PUBLIC 550

SPONSOR(S)
LEMONT

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-767
H-787 MITCHELL J

SUMMARY

LD 1688 proposed to increase the standard of proof to "intentional" for violations involving the purchase, sale, transport, shipment or possession of lobsters less than the minimum size or greater than the maximum size permitted by law. The bill also proposed to allow the Commissioner of Marine Resources to file an action in Administrative Court and to allow the court suspend, for a maximum of 5 years, the lobster harvesting license of any person convicted of purchasing, selling, transporting, shipping or possessing undersized or oversized lobsters.

COMMITTEE AMENDMENT "A" (H-767) replaced the bill. The committee amendment imposes a mandatory 3-year license suspension for lobster harvesters who are convicted more than once of possessing short lobsters. The amendment also adds a fiscal note.

HOUSE AMENDMENT "A" (H-787) provides that the lobster and crab fishing license of a person convicted of a 2nd or subsequent offense may be suspended only if there were 3 or more short lobsters involved in the 2nd or subsequent offense.

LD 1689

An Act Requiring the Use of Logbooks by Lobster Harvesters

PUBLIC 726

SPONSOR(S)
LEMONT

COMMITTEE REPORT
OTP-AM MAJ
ONTP MIN

AMENDMENTS ADOPTED
H-1017 MITCHELL J
H-973

SUMMARY

LD 1689 proposed to allow the sale of lobster and crab fishing licenses during 1995 and 1996 only to persons who held a valid lobster and crab fishing license on December 31, 1993 and who demonstrates to the satisfaction of the commissioner that that person engaged in lobstering activities at some time during the previous 3 years. The bill also proposed to limit all lobster and crab fishing license holders to one deck hand on a lobstering vessel at any time.

The bill also proposed to extend the Sunday harvesting prohibition to include all weekends between April 1st and November 1st, to limit harvesting time during all other days of the year to the period between 6 a.m. and 3 p.m., and to require 3 parlor section vents at least 1 7/8 inches in all lobster traps.

COMMITTEE AMENDMENT "A" (H-973) replaced the bill. The committee amendment requires the Commissioner of Marine Resources to adopt rules requiring the use of logbooks by licensed lobster harvesters. Individual records collected by the department must be treated as confidential and may not be disclosed in a manner or form that permits identification of any person or vessel. The committee amendment adds an allocation section and a fiscal note to the bill.

HOUSE AMENDMENT "A" (H-1017) allows the Commissioner of Marine Resources to borrow from the Seed Lobster Fund such funds as are necessary to hire the 1/2-time Marine Specialist I position authorized in Committee Amendment "A". Any money borrowed by the commissioner for those start-up costs must be repaid to the Seed Lobster Fund prior to the end of fiscal year 1994-95.