

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
MARINE RESOURCES

MAY 1994

Staff:
Patrick Norton, Legislative Analyst

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

MEMBERS:

**Sen. Harry L. Vose
Sen. Rochelle M. Pingree
Sen. Robert R. Gould*

**Rep. James Mitchell
Rep. James Reed Coles
Rep. Virginia Constantine
Rep. James G. Skoglund
Rep. George A. Townsend
Rep. E. Michael Swazey
Rep. Theone F. Look
Rep. Charles H. Heino
Rep. Frank H. Farren
Rep. Kenneth F. Lemont*

**Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
JULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
MARION HYLAN BARR
JON CLARK
LISA COPENHAVER
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
JILL IPPOLITI



JOHN B. KNOX
ROY W. LENARDSON
PATRICK NORTON
JANE ORBETON
MARGARET J. REINSCH
PAUL J. SAUCIER
JOHN G. KELLEY, RESEARCHER
DARLENE A. SHORES LYNCH, RESEARCHER
CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 287-1670
FAX (207) 287-1275

**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

HOUSE AMENDMENT "A" (H-1010) replaces the committee amendment and the bill, but incorporates all its provisions and all provisions included in a proposed Senate Amendment "A" (S-519). The House amendment also adds new language that allows the use of fixed gill nets in the tidal waters of the Kennebec and Androscoggin Rivers if those fixed gill nets are continuously tended, are hauled out and emptied every 2 hours and are affixed with a tag identifying the owner of the net.

LD 1948 An Act to Ensure the Long-term Economic and Biological Viability of the State's Coastal Lobster Fishery ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PINGREE	ONTP	

SUMMARY

LD 1948 proposed to extend the Sunday lobster fishing prohibition, limit each lobster harvester to 1,000 traps and prohibit lobstering in coastal waters during February and March.

The bill also proposed to cap the number of lobster licenses by limiting the sale of those licenses only to individuals who either held a license in the previous year, have 2 years' experience as an unlicensed deck hand or who are students at a public or private university or technical school. One half of the licenses that become available through attrition may be sold to previously unlicensed persons who wish to enter the fishery.

The bill also proposed to allow towns to adopt local lobster fisheries management plans to reduce lobster harvesting efforts in areas of coastal water offshore of the town. Those plans may include seasons or trap limits different from those proposed in the bill. Locally established seasons and trap limits are enforceable by the State if the Commissioner of Marine Resources approves the local plan.

The bill also proposed to require that the Commissioner of Marine Resources adopt rules requiring log books and establishing tagging requirements for the purposes of enforcing trap limits.

LD 1984 An Act to Conserve Sea Urchin Resources PUBLIC 740

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
		H-983 MITCHELL J

SUMMARY

LD 1984 is the majority report of the Joint Standing Committee on Marine Resources. The bill was reported out by the committee pursuant to Joint Order H.P. 1373.

The bill prohibits the use of drags for harvesting sea urchins except for drags that conform to specific design requirements that are defined in rules adopted by the Department of Marine Resources and that minimize the impact of the drag on the ocean bottom.

The bill also enacts emergency measures to limit the effort being applied to the coastal sea urchin fishery for 4 years in order to allow research and basic stock assessments to occur.

During the 4 years the bill is in effect, the coast will be divided into 2 urchin fishing zones, each zone having its own closed period. Sea urchin licenses will be limited during those years to people already in the sea urchin fishery. Surcharges on sea urchin licenses will be deposited in a fund for the purposes of basic sea urchin research.

The bill also allows the Commissioner of Marine Resources to adopt rules requiring the use of log books to collect information on the magnitude and location of sea urchin harvesting.

HOUSE AMENDMENT "B" (H-983) changes the name of a "sea urchin boat license" to "sea urchin dragging license" for purposes of clarification.

The House amendment also strikes that part of the bill that prohibited a person from participating in the sea urchin fishery unless they had possessed a 1993 license or purchased their 1994 license before March 3, 1994. Under the House amendment, a person not previously licensed is allowed to purchase a 1994 license until 90 days after adjournment of the Second Regular Session of the 116th Legislature. Possession of a 1994 sea urchin dragging license is a prerequisite for participation in the fishery during the 4-year period of limited entry proposed in the bill.

The House amendment also includes authorization for personnel and operating costs associated with the logbook to be paid from allocations from the Sea Urchin Research Fund. The amendment also adds a fiscal note to the bill.