

MAINE STATE LEGISLATURE

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STATE OF MAINE
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
MARINE RESOURCES

AUGUST 1995

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**Denotes Chair*



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

**SUMMARY OF LEGISLATION BEFORE
THE JOINT STANDING COMMITTEES**

AUGUST 1995

This document is a compilation of the bill summaries prepared by this office for the Joint Standing 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 publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, 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 categories of final action are abbreviated as follows:

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

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

LD 185 An Act to Restrict the Taking of Eels Less than 6 Inches in Length from Maine Coastal Waters

CARRIED OVER

SPONSOR(S) HEINO
COMMITTEE REPORT
AMENDMENTS ADOPTED

SUMMARY

This bill proposes to regulate the taking of eels by making it illegal to possess an eel that is less than 6 inches in length. The committee voted to carry the bill over to the Second Regular Session of the 117th Legislature. The committee requested the Department of Marine Resources develop a management plan for Maine's eel fishery and present to the committee a report on its plan and any recommended legislation by January 15, 1996.

LD 232 An Act to Reduce Clam Digger License Fees for Clam Diggers with a Municipal License ONTP

SPONSOR(S) BEGLEY
COMMITTEE REPORT ONTP
AMENDMENTS ADOPTED

SUMMARY

This bill would have allowed a holder of a municipal shellfish conservation program license to pay a reduced fee of \$40 for a state shellfish license.

LD 243 An Act to Enhance the Clam Industry in the State P & S 46

SPONSOR(S) GOLDTHWAIT
COMMITTEE REPORT OTP-AM MAJ
ONTP MIN
AMENDMENTS ADOPTED S-374 HANLEY
S-48

SUMMARY

The bill would have appropriated funds to partially offset the operating costs of the Beals Island Regional Shellfish Hatchery.

COMMITTEE AMENDMENT "A" (S-48) replaced the original bill. It would have appropriated grants of \$15,000 in fiscal year 1995-96 and \$15,000 in fiscal year 1996-97 to support the hatching and raising of seed clams at the Beals Island Regional Shellfish Hatchery.

SENATE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (S-374) alters the committee amendment by appropriating a grant of \$15,000 in fiscal year 1995-96 to the Beals Island Regional Shellfish Hatchery and eliminating the grant for fiscal year 1996-97 that had been included in Committee amendment "A".

LD 253 An Act Concerning Municipal Shellfish Conservation Program Penalties PUBLIC 75

SPONSOR(S) DAVIDSON
COMMITTEE REPORT OTP MAJ
ONTP MIN
AMENDMENTS ADOPTED S-77 BUTLAND

SUMMARY

The bill provides that the only penalty for the violation of certain provisions of a municipal shellfish conservation ordinance be a fine imposed according to the laws authorizing municipal shellfish conservation programs. Its purpose is to prevent a court from imposing a penalty other than a fine, such as community service.

SENATE AMENDMENT "A" (S-77) corrected a reference in the bill. It provides that a court may not impose a penalty other than the monetary payment of a fine for a violation of a paragraph of the municipal shellfish ordinance statutes that addresses the penalty for harvesting shellfish from a closed area or digging shellfish without a municipal license.

LD 331 An Act to Ban Spurs on Boats ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GOLDTHWAIT	ONTP	

SUMMARY

This bill would have prohibited the use of line cutting devices, also known as spurs, on the propellers of marine vessels, except when a protective cage is also installed around the cutting device.

LD 420 An Act to Require a License for Recreational Harvesting of Marine Organisms and for the Operation of Marine Party Boats DIED BETWEEN BODIES

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MICHAUD	ONTP MAJ	
	OTP MIN	

SUMMARY

This bill would have required that marine recreational anglers be licensed in order to fish for, take or possess any marine species for personal use or consumption. The bill would have established a marine recreational fishing license for individuals and a marine party boat license for party boat operators and their passengers. The bill would have established the Marine Recreational Fishing Fund through which revenues from the licenses and all fines and property seized for violations of license requirements would have been used to fund marine recreational fishing programs. The bill would have also established a Marine Recreational Fishing Advisory Council to advise the Department of Marine Resources on marine recreational fishing issues.

LD 472 Resolve, to Ensure Consistency in State Rules Pertaining to Municipal Assessment of Clam Flats ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
HARTNETT	ONTP	

SUMMARY

This resolve would have required the Commissioner of Environmental Protection and the Commissioner of Marine Resources to work together to review laws and rules that apply to municipal assessment of shoreland areas for shellfish harvesting and to determine the federal standards that apply to those surveys. The commissioners would have been required to report their findings to the Joint Standing Committee on Marine Resources by June 1, 1995. That report would have been required to identify all changes to state laws and rules needed to ensure that the requirements of those surveys conform to federal standards and that towns conducting the surveys are subject to one set of rules administered by one state agency. Those necessary rule changes would have been required to be adopted by June 15, 1995.