

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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**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:

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

The amendment adds experience gained under a student license to the apprentice program waiver provision under the Committee Amendment "A". The waiver provision in Committee Amendment "A" allows the Commissioner of Marine Resources to waive time and experience requirements for apprentices who have already harvested lobsters as sternmen. The amendment also adds to the apprentice waiver provision a person who held a lobster license between January 1, 1984 and March 31, 1995 and held one of a number of commercially oriented fishing licenses between January 1, 1984 and March 31, 1995.

Committee Amendment "A" sets a trap limit of 1,200 per license holder, but would have allowed a person who had fished more than 1,200 traps as of June 12, 1995 to reach the 1,200 trap limit over 8 years. This amendment changes Committee Amendment "A" by giving a person 7 years to reduce the average number of traps a person fished in 1994 and 1995 that are over 1,200.

The amendment also enacts a trap limit for boats effective March 1, 1996. It prohibits the tending of more than 1,200 traps from an individual boat, unless one of 2 exceptions apply. The exceptions are: 1) If 2 or more lobster harvesters tended an average of more than 1,200 traps from a boat in 1994 and 1995, the harvesters may reduce the number to 1,200 over 7 years; or 2) If the lobster harvesters are family members and fished an average of more than 1,200 traps from a boat in 1994 and 1995, the harvesters may fish up to 1,200 traps each from the boat. The exception for a family member fishing from the same boat as other family members no longer applies when the family member does not fish from the same boat during a calendar year.

This amendment also gives the commissioner authority to adopt rules that define how lobster management zone rules apply to a person who fishes in more than one zone.

The amendment also changes the qualifications for lobster management policy council membership and zone voting that are contained in Committee Amendment "A". This amendment requires a person to be a lobster license holder and declare a zone as the zone in which the person predominantly fishes in order to be a member of a zone's council or to vote in a zone election or referendum. Committee Amendment "A" required a person to be a lobster license holder and a resident of a zone.

The amendment repeals those sections of the statutes, entitled "Scrubbing lobsters" and "Scrubbed lobsters," which prohibit removal of lobster eggs, and replaces them with a prohibition section more generally titled "Artificial removal of eggs; prohibition." The prohibition and penalties on the removal of lobster eggs remain the same.

LD 815 **An Act to Limit the Size of Drag Nets Used in South Bay in Eastport**

PUBLIC 278

SPONSOR(S)
BAILEY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-358

SUMMARY

This bill places size limits on drag nets used in South Bay in Eastport.

COMMITTEE AMENDMENT "A" (H-358) makes ring-size limits for drags in South Bay in Eastport apply to all drags. The bill applies ring-size limits to rock drags.

The amendment also limits drags to a total of 8 rings deep, with the ring size limited to the legal size that applies to either a state license or federal permit, depending on whether a person holds a state license or federal permit.

The amendment also adds a fiscal note to the bill.