

# 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:

<b>CARRIED OVER</b>	<i>Bill carried over to Second Session</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>CONF CMTE UNABLE TO AGREE</b>	<i>Committee of Conference unable to agree; bill died</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>DIED ON ADJOURNMENT</b>	<i>Action incomplete when session ended; bill died</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Emergency bill failed to get 2/3 vote</i>
<b>FAILED ENACTMENT</b>	<i>Bill failed to get majority vote</i>
<b>FAILED MANDATE ENACTMENT</b>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>VETO SUSTAINED</b>	<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 850 An Act to Regulate the Use of Gill Nets in the Coastal Waters of the State**

ONTP

**SPONSOR(S)**

SHIAH

**COMMITTEE REPORT**

ONTP MAJ  
OTP-AM MIN

**AMENDMENTS ADOPTED**

**SUMMARY**

The bill would have prohibited the use of a fixed gill net in the coastal waters of the State unless that net is tended continuously. The bill would have repealed this prohibition on January 1, 2000. The bill would have directed the Commissioner of Marine Resources to monitor fish populations and report the status of these populations to the joint standing committee of the Legislature having jurisdiction over marine resources to help that committee in deciding whether to continue the prohibition in this bill after January 1, 2000.

**LD 859 An Act to Grandfather Urchin Divers Who Held Valid Licenses in 1992**

ONTP

**SPONSOR(S)**

SIMONEAU

**COMMITTEE REPORT**

ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

The statutes allow persons that possessed a handharvesting scallop license or a handharvesting sea urchin license in 1992, 1993 and 1994 to be issued a license in 1995 and later. This bill would have allowed the issuance of those licenses to a person who possessed a license in any of those years.

**LD 889 An Act to Control Entry into the Lobster Fishery to Alleviate Pressure on That Resource**

ONTP

**SPONSOR(S)**

ETNIER

**COMMITTEE REPORT**

ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill would have replaced existing lobster and crab harvesting license categories with new categories that include certain limits on the number of traps that may be fished and certain limits on who may purchase a license. The provisions of this bill would have applied only to licenses issued for calendar year 1996 and subsequent years and only to lobster and crab harvesting activity that occurs on or after January 1, 1996. The bill would have also enacted a 21-month moratorium on the issuance of new licenses beginning April 1, 1996.

The bill would have established a recreational lobster and crab harvesting license that would have allowed the licensee to fish up to 25 traps. Lobsters and crabs harvested under a recreational license could have only been used for personal consumption by the licensee or the licensee's immediate family and may not be sold.

The bill would have also established full-time and part-time commercial lobster and crab harvesting licenses. Lobsters harvested under a commercial license could have been sold by the harvester. A part-time license would have allowed the licensee to fish up to 150 traps. A full-time license would have allowed the licensee to fish any number of traps, but would have been only available to persons who derived 66% or more of their income in each of the 3 most recent tax years from commercial fishing activities, to their children, to persons who had possessed a part-time license for the 3 most recent calendar years or to persons who possessed a sternman's license in each of the 3 previous calendar years.

The trap limits proposed in the bill would have been enforced through a requirement that there be affixed to each trap a trap tag purchased from the Department of Marine Resources. A licensee would have been authorized to purchase a trap tag for each trap that would have been used by that person plus a sufficient number of additional trap tags to account for traps that may be lost during the year. A tiered schedule of fees would have been enacted for trap tags.

The bill would have also required that the Commissioner of Marine Resources use all funds received from the sale of trap tags and sternman's licenses for enforcement.

**LD 912      An Act to Make Owners Responsible for Their Abandoned Lobster Traps      ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
LAWRENCE	ONTP	

**SUMMARY**

This bill would have defined an "abandoned lobster trap" as a trap left for more than 90 days on another person's property without that person's permission. The owner of the abandoned trap would have been liable for the costs incurred by the property owner to remove the trap if the trap owner fails, after written notification, to remove the trap prior to the time it becomes an abandoned trap.

**LD 918      An Act to Ensure a Sustainable Urchin Fishery in the State      PUBLIC 392**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
RAND	OTP-AM      MAJ	H-582      LOOK
	OTP-AM      MIN	S-293

**SUMMARY**

This bill would have imposed a temporary surcharge on a sea urchin processor's supplemental permit.

In addition, the bill would have established a total urchin roe yield standard for the industry in order to preserve a sustainable resource of immature sea urchins and instituted a log book mechanism by which the Department of Marine Resources could enforce the yield standard and develop a data base of information documenting the amount of urchins harvested, from where, and by whom and report back to the Legislature their findings along with a report on the Sea Urchin Research Fund.

COMMITTEE AMENDMENT "A" (S-293) replaces the bill and makes the following additions and changes to the sea urchin laws.

1. It changes the dates during which both sea urchin zones will be closed from May 15th to August 15th to May 1st to August 31st.
2. It would have enacted a Sunday and Wednesday closure of the urchin fishery during the months of September, October, March and April. (House Amendment "A" struck this provision from Committee Amendment "A".)
3. It changes the closing dates in Zone 1 from April 1st - August 15th to April 1st - August 31st.
4. It changes the closure dates in Zone 2 from May 15th - October 1st to May 1st - October 1st.