

# 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

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> LAWRENCE	<b>COMMITTEE REPORT</b> ONTP	<b>AMENDMENTS ADOPTED</b>
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**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> RAND	<b>COMMITTEE REPORT</b> OTP-AM      MAJ OTP-AM      MIN	<b>AMENDMENTS ADOPTED</b> H-582      LOOK S-293
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**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.

5. It enacts an exception to the sea urchin limited entry provisions that allows the Commissioner of Marine Resources to grant a sea urchin license to a person who was licensed to harvest sea urchins in the year prior to the previous calendar year but did not possess a license in the previous calendar year due to physical injury or any other medically related reason. The person must provide the commissioner with documentation from a physician describing the physical injury or any other medically related reason.
6. It enacts a provision that allows the Commissioner of Marine Resources to transfer the license of a deceased license holder to a member of the deceased license holder's family.
7. It clarifies that a person who holds a sea urchin license may fish only in the zone for which the license is issued.
8. It permits the commissioner to extend closing dates in zones or a portion of zones for the conservation of spawning sea urchins.
9. It requires the Commissioner of Marine Resources to report by February 1, 1996 on the feasibility of administering a roe-yield standard as a means of conserving Maine's sea urchin resource.
10. It requires person who tends scallop divers to take a tender safety training course.
11. It enacts a sea urchin and scallop diver tender license. Current law requires a tender license only for sea urchin tenders.
12. It enacts a license for sea urchin hand-raking and trapping.
13. It adds a fiscal note to the bill and amends the title of the bill.

HOUSE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (H-582) changes Committee Amendment "A" by eliminating the Sunday and Wednesday closures on sea urchin harvesting from September 1st to October 31st and from March 1st to April 31st.

**LD 988      Resolve, to Direct the Commissioner of Marine Resources to Investigate Controlling Marine Predators Inhibiting Shellfish Farming      ONTP**

**SPONSOR(S)**  
GOLDTHWAIT

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This resolve would have directed the Commissioner of Marine Resources to investigate appropriate measures to reduce the predation of cultured shellfish by starfish and report the findings of the investigation to the Legislature.