

# 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 &amp; 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&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; 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

**LD 989 An Act to Further Restrict the Illegal Harvest of Cultivated Oysters**

PUBLIC 157  
EMERGENCY

**SPONSOR(S)**  
GOLDTHWAIT

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
S-138

**SUMMARY**

The bill would have eliminated the knowingly and willfully standard from all violations of the Maine Revised Statutes, Title 12, section 6073.

COMMITTEE AMENDMENT "A" (S-138) eliminates the knowingly and willfully standard from violations pertaining to illegal possession of cultchless American oysters. It keeps the standard to apply to the interference of rights provided in an aquaculture lease.

The amendment also adds a fiscal note to the bill.

**LD 991 Resolve, to Strengthen Fish Hatchery Capacity within the State by Establishing a Partnership between Public and Private Organizations**

RESOLVE 38

**SPONSOR(S)**  
GOLDTHWAIT

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
S-116  
S-301 GOLDTHWAIT

**SUMMARY**

This resolve requires the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Marine Resources to investigate opportunities for partnerships between public and private organizations in the operation of fishery restoration programs, examine opportunities for increased raising of salmon and trout and make recommendations regarding water quality affecting fish hatcheries. The resolve requires the commissioners to report to the Legislature by June 30, 1995.

COMMITTEE AMENDMENT "A" (S-116) adds the Commissioner of Environmental Protection and the Commissioner of Agriculture, Food and Rural Resources to the parties that must discuss with other interested parties public and private partnerships to engage in the State's fish restoration programs. The amendment also changes the date the commissioners must report to the Legislature from June 30, 1995 to January 1, 1996.

The amendment also strikes the emergency preamble and emergency clause and adds a fiscal note to the resolve.

SENATE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (S-301) changes the committee amendment by establishing a 7-member task force consisting of the commissioners of Inland Fisheries and Wildlife, Marine Resources, Environmental Protection and Agriculture, Food and Rural Resources, two legislators and one member of the public. The amendment specifies that members receive no reimbursement for expenses and legislative members receive no per diem. It also requires the task force to hold public meetings.