

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

STATE OF MAINE  
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
MARINE RESOURCES

AUGUST 1995

**Staff:**

*John G. Kelley, Legislative Analyst*

*Office of Policy and Legal Analysis  
Room 101/107/135, 13 State House Station  
Augusta, ME 04333  
(207)287-1670*

**MEMBERS:**

*\*Sen. Jeffrey H. Butland  
Sen. Jill M. Goldthwait  
Sen. Rochelle M. Pingree*

*\*Rep. Peter A. Cloutier  
Rep. Herbert Adams  
Rep. Edmund Benedikt  
Rep. David Etnier  
Rep. Paul Volenik  
Rep. Theone F. Look  
Rep. Joseph H. Bigl  
Rep. James D. Layton  
Rep. William D. Pinkham  
Rep. Chester A. Rice*

*\*Denotes Chair*



**Maine State Legislature  
OFFICE OF POLICY AND LEGAL ANALYSIS**

State House Station 13, Augusta, Maine 04333  
Telephone (207) 287-1670  
Telecopier (207) 287-1275

**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 1149 An Act to Enhance Export Markets for Maine Sardines and Other Canned Herring Products by Clarifying the Maine Sardine Law**

PUBLIC 307  
EMERGENCY

**SPONSOR(S)**  
GOLDTHWAIT

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-494 TUTTLE  
S-253

**SUMMARY**

The bill reflects the 1994 recommendations of the Maine Sardine Council's export committee. This bill amends the Maine sardine laws to enhance the export of higher quality sardines, and other canned herring products, by clarifying certain provisions.

COMMITTEE AMENDMENT "A" (S-253) deletes an obsolete reference to the Commissioner of Agriculture, Food and Rural Resources from the laws concerning trademarks used by the Maine Sardine Council.

The amendment also adds a definition of the term "other canned herring product" to the sardine laws. It also reduces the excise tax on herring products by 5¢.

The amendment makes a technical change in the sardine laws to correct an error in reference.

The amendment also adds a fiscal note to the bill.

HOUSE AMENDMENT "A" (H-494) includes the reduced tax rates intended by Committee Amendment "A" in the provision concerning the reports and payments of the tax.

**LD 1171 An Act to Correct a Fishing Zone Definition Error**

PUBLIC 198

**SPONSOR(S)**  
CLOUTIER

**COMMITTEE REPORT**  
OTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill corrects an incorrect reference to a channel marker and a compass descriptor used in the definition of an area closed to fishing for sea urchins.

**LD 1196 An Act to Encourage an Alternative Fishery**

PUBLIC 323

**SPONSOR(S)**  
BUTLAND

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
S-222

**SUMMARY**

Under current law it is illegal to possess shellfish that did not come from a certified source, growing area or dealer. Long-liners use surf clams as bait and, to legally obtain them, must buy from certified dealers. Shellfish used as bait do not have to be fit for human consumption; nevertheless, long-liners must pay the price for shellfish that meet retail market standards even though their intended use is as bait. This bill would have allowed the Department of Marine Resources to adopt rules by which long-liners could obtain and use product that does not have to meet sanitation standards.

COMMITTEE AMENDMENT "A" (S-222) replaces the bill and permits the harvesting of marine mollusks from areas closed to shellfishing, if the mollusks are used for bait or other uses not meant for human consumption. The harvesting must be in accordance with rules adopted by the Commissioner of Marine Resources. Those rules may not jeopardize certification of Maine's shellfish under the National Shellfish Sanitation Program. The amendment also adds a fiscal note to the bill.