

# 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 1215      An Act to Clarify Licensing in the Sea Urchin Fishery      ONTP**

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
CLOUTIER                              ONTP

**SUMMARY**

This bill would have renamed the handfishing sea urchin license, established a sea urchin hand-raking and trapping license, modified the limited entry statute to include the new sea urchin hand-raking and trapping license, included the new sea urchin hand-raking and trapping license in the statute that specifies that fishing may only occur in one zone and included the new sea urchin hand-raking and trapping license in the license surcharge statute provision.

(The parts of this bill relating to the sea urchin hand-raking and trapping license are included in Committee Amendment "A" to LD 918.)

**LD 1226      An Act to Amend the Laws Pertaining to the Selling of Clams      ONTP**  
**and Sea Urchins to Protect Certified Sellers of Clams and**  
**Sea Urchins**

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
LOOK                                      ONTP

**SUMMARY**

The purpose of this bill was to protect certified sellers of clams and sea urchins by prohibiting the shucking of shellfish in homes. The bill would have clarified that a license for this activity is limited to one vehicle and a person could not allow another person to use a different vehicle for the transportation of shellfish. The bill would have prohibited the purchase of shellfish by wholesalers and retailers by cash.

**LD 1310      An Act Concerning Inspection at Sea      PUBLIC 218**

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
BIGL                                      OTP-AM                                      H-320

**SUMMARY**

The bill provides the Commissioner of Marine Resources the authority to suspend a person's fisheries license if the person is convicted of a crime against a marine patrol officer.

COMMITTEE AMENDMENT "A" (H-320) adds a fiscal note to the bill.

**LD 1380      An Act to Strengthen the Sea Urchin Tender License      ONTP**

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
CLOUTIER                              ONTP

**SUMMARY**

This bill would have required that individuals who operate boats as tenders to scallopers meet the same level of training as those in the sea urchin fishery.

Under current practice, tenders may sell urchins or scallops in their possession. Possession, sale and transport of sea urchins under this license is not provided for under current law. This bill would have provided that holders of this license may also sell, transport, possess and ship sea urchins and scallops.

(The provisions of this bill are included in Committee Amendment "A" to LD 918.)

**LD 1451      An Act to Change the Licensing Year for Certain Marine  
Resource Licenses and to Establish an Eel Fishing License**

**PUBLIC 492**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
CLOUTIER	OTP-AM	H-528 H-573    ETNIER

**SUMMARY**

Under existing law, all harvester and dealer licenses, with the exception of shellfish and worms, are issued for a calendar year beginning in January. This bill provides that licenses that apply to dealers and processors be issued as of March 31st of each year. Based on a survey of the industry, the Process Action Team recommended that the licensing date for dealers and processors be changed to March 31st of each year. The bill implements that recommendation.

COMMITTEE AMENDMENT "A" (H-528) adds a fiscal note to the bill.

HOUSE AMENDMENT "A" (H-573) requires a license for the harvesting of eels in Maine's coastal waters. People who currently harvest eels in the coastal waters must possess a commercial fishing license. The fees for individuals under an eel license are the same as under the existing commercial fishing license.

**LD 1464      An Act to Preserve Fishing Stocks**

**PUBLIC 396**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
SAXL M	ONTP            MAJ OTP-AM            MIN	H-576    ETNIER

**SUMMARY**

The bill would have required that marine resources laws of the State be applied and enforced in coastal waters to a distance of 12 miles from the coastline of the State for the purpose of regulating the harvesting of living resources of the seas.

COMMITTEE AMENDMENT "A" (H-569) replaced the bill. It would have required that marine resources laws of the State be applied and enforced in coastal waters to a distance of 12 miles from the coastline of the State for the purpose of regulating the harvesting of living resources of the seas.

It would have also extended by one year the repeal date of the Groundfish Hatchery Fund - from July 30, 1995 to July 30, 1996.

HOUSE AMENDMENT "A" (H-576) replaces the bill and Committee Amendment "A". It extends by one year the repeal date of the Groundfish Hatchery Fund - from July 30, 1995 to July 30, 1996.