

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
117TH LEGISLATURE**

**SECOND REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
MARINE RESOURCES**

**JUNE 1996**

***MEMBERS:***

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Sen. Jill M. Goldthwait  
Sen. Rochelle M. Pingree*

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**ONE HUNDRED SEVENTEENTH LEGISLATURE  
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees  
June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are 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 finally passed 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>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

***Enacted law summary***

Public Law 1995, chapter 595 establishes new sea urchin harvesting seasons for the two sea urchin harvesting zones and enacts a process for selecting the days in which harvesting is allowed. It sets a season for hand-harvesting, raking and trapping from August 1st to April 30th of the following year. The Commissioner of Marine Resources must by rule select 150 days in Zone 1 and 170 days in Zone 2 that are open to urchin harvesting by hand, rake or trap. The law also sets a season for harvesting by drags from October 1st to April 30th of the following year. The Commissioner of Marine Resources must by rule select up to 150 days in Zone 1 and up to 170 days in Zone 2 that are open to urchin harvesting by drag.

The commissioner's selection of open harvesting days must be made in consultation with the Sea Urchin Zone Council, which is created in the law.

The law also enacts a process for harvesters to change the zone in which they harvest sea urchins during the remaining 2 years of the moratorium on entry into the urchin fishery. The process requires changes to be authorized by the Commissioner of Marine Resources. The commissioner may authorize a switch to a zone at the time of licensing only when the number of licenses issued for a zone in the previous licensing year is less than the number of licenses issued 2 years earlier. The total switches in a year may not exceed the number by which the licenses issued for a zone in the previous licensing year is less than the number of licenses issued 2 years earlier.

The law also enacts a \$500 minimum fine for a violation of the sea urchin laws and adds a fiscal note to the bill.

Chapter 595 was enacted as an emergency measure effective April 2, 1996.

**LD 1715**

**An Act to Create a Scallop Diving Tender License**

PUBLIC 530

Sponsor(s)

GOLDTHWAIT

Committee Report

OTP-AM

Amendments Adopted

S-430

At the time LD 1715 was presented, a person who tended scallop divers was required to purchase a license that applied to both the sea urchin fishery and the scallop fishery. A sea urchin license surcharge, which is used for research, is applied to that license. The bill proposed a separate scallop tender's license so that someone who exclusively tends scallop divers would not have to pay the sea urchin fishery surcharge.

**Committee Amendment "A" (S-430)** proposed to clarify that a scallop tender license is required to tend scallop divers and to tend scallop divers from a boat that is used by scallop divers in the harvesting of scallops. It also proposed to clarify that a sea urchin and scallop tender license is required to tend sea urchin and scallop divers and to tend sea urchin and scallop divers from a boat that is used by sea urchin and scallop divers in the harvesting of those marine organisms.

***Enacted law summary***

Public Law 1995, chapter 530 creates a scallop tender license. It also makes technical changes to the combined sea urchin and scallop tender license.