

## Joint Standing Committee on Marine Resources

**LD 185      An Act Regarding the Harvesting of Eels and Elvers**

PUBLIC 536  
EMERGENCY

Sponsor(s)  
HEINO  
LOOK

Committee Report  
OTP-AM

Amendments Adopted  
H-759  
H-763

LD 185 proposed to regulate the taking of eels by making it illegal to possess an eel that is less than 6 inches in length.

**Committee Amendment "A" (H759)** proposed to strike the bill and replace it with the following provisions.

Part A proposed to repeal the eel fishing license in effect at the time for coastal waters and enact 2 new licenses for eel fishing in the coastal waters:

1. An elver fishing license with fees of \$33 for residents and \$1,000 for nonresidents ~~and~~
2. An eel harvesting license with a fee of \$100 for residents and nonresidents.

The amendment proposed to define elvers as eels less than 6 inches in length. The amendment also proposed to enact an elver dealer's license with a fee of \$1,000 for residents and nonresidents.

The amendment proposed to define the terms "elver fyke net," "Sheldon eel trap" and "dip net" and limit the method of fishing for elvers to those nets and traps. It proposed to limit the method of fishing for eels in coastal waters to eel pots and hoop nets. The amendment proposed to limit to 5 the number of elver fyke nets, Sheldon eel traps or any combination of nets and traps an elver license holder may use. It also proposed to enact fees for the use of elver fyke nets and Sheldon eel traps of \$100 per net or trap for the first or 2nd net or trap used and \$200 per net or trap for the 3rd, 4th or 5th net or trap used. The amendment also proposed to enact a \$75 per net fee for the use of dip nets.

The amendment proposed to dedicate revenues from the elver fishing license, the eel pot fishing license, the elver fyke and dip net fees and the elver dealer license to the Eel and Elver Management Fund. The fund could be used by the Commissioner of Marine Resources to support research and management of eel and elver resources and enforcement of the eel and elver laws. Expenditures from the fund would be in accordance with a management plan that would be reviewed by the joint standing committee of the Legislature having jurisdiction over marine resource matters.

The amendment proposed to limit the harvesting of elvers to the State's coastal waters. It also proposed to enact a season for elver fishing that runs from noon of March 15th to midnight of June 15th. It proposed to prohibit the harvesting of elvers from noon on Saturdays to noon on Sundays. It proposed to prohibit the setting of any fyke nets or Sheldon eel traps from February 15th to noon of March 15th and it proposed to prohibit claiming any elver fishing locations from February 15th to noon of March 15th.

The amendment proposed to prohibit fishing for elvers from boats, although it would allow nets, traps and gear to be transported by boat. It proposed to prohibit a person who fishes for elvers with a dip net from fishing while standing in the water of a river, brook or stream. It proposed to prohibit fishing for elvers in the middle 3rd of coastal rivers, streams or brooks, as measured at mean high tide. It proposed to prohibit the use of dip nets in the mouths of elver fyke nets. It proposed to prohibit fishing for elvers within 150 feet of a dam with a fishway, within 150 feet of a fishway and within 50 feet of a licensed alewife trap.

It proposed to require a person to affix to each elver fyke net and Sheldon eel trap a tag issued by the Department of Marine Resources. The amendment also proposed to prohibit a person other than a net tag holder from tending a net unless the person has written permission to do so or is in the presence of the tag holder and has permission to do so.

The amendment also proposed to enact a violation for molesting an elver fyke net. A violation would carry a minimum \$500 fine. In addition, the commissioner would be required to suspend for one year the elver fishing license of a person convicted of molesting a fyke net.

Part B of this amendment proposed to implement the recommendations of the Joint Standing Committee on Inland Fisheries and Wildlife with respect to management of the eel and elver fishery in inland waters.

The amendment proposed to prohibit the taking of elvers in inland waters, limit the eligibility for eel weir permits over the next 5 years to persons who held that permit in 1995, prohibit the use of traps and spears when harvesting eels in inland waters and increase the annual freshwater eel pot and eel weir permit fee to \$100. Money from eel pot and eel weir permits sold during calendar years 1996, 1997, 1998, 1999 and 2000 would be deposited into the Eel and Elver Management Fund that would be administered by the Department of Marine Resources in coordination with the Department of Inland Fisheries and Wildlife.

**House Amendment "B" to Committee Amendment "A" (H63)** proposed to amend the committee amendment by changing the nonresident elver license fee from \$1,000 to \$334. It also proposed to change the conditions under which a person could tend an elver net or trap for another person. The amendment proposed to require a tender to have an elver fishing license and either be in the presence of the net or trap owner and have verbal permission or have written permission from a marine patrol officer to tend the owner's net or trap. The officer could issue written permission if the net or trap owner can not tend the net or trap because of a disability or personal or family medical condition.

### ***Enacted law summary***

Public Law 1995, chapter 536 enacts a variety of provisions relating to the harvesting of elvers and eels.

Part A repeals the eel fishing license in effect at the time for coastal waters and enacts 2 new licenses for eel fishing in the coastal waters:

1. An elver fishing license with fees of \$33 for residents and \$334 for nonresidents; and
2. An eel harvesting license with a fee of \$100 for residents and nonresidents.

The law defines elvers as eels less than 6 inches in length. The law also enacts an elver dealer's license with a fee of \$1,000 for residents and nonresidents.

The law defines the terms "elver fyke net," "Sheldon eel trap" and "dip net" and limits the method of fishing for elvers to those nets and traps. It limits the method of fishing for eels in coastal waters to eel pots and hoop nets. The law limits to 5 the number of elver fyke nets, Sheldon eel traps or any combination of nets and traps an elver license holder may use. It also enacts fees for the use of elver fyke nets and Sheldon eel traps of \$100 per net or trap for the first or 2nd net or trap used and \$200 per net or trap for the 3rd, 4th or 5th net or trap used. The law enacts a \$75 per net fee for the use of dip nets.

The law dedicates revenues from the elver fishing license, the eel pot fishing license, the elver fyke and dip net fees and the elver dealer license to the Eel and Elver Management Fund. The fund may be used by the Commissioner of Marine Resources to support research and management of eel and elver resources and enforcement of the eel and elver laws. Expenditures from the fund must be in accordance with a management plan that is reviewed by the joint standing committee of the Legislature having jurisdiction over marine resource matters.

The law limits the harvesting of elvers to the State's coastal waters. It also enacts a season for elver fishing that runs from noon of March 15th to midnight of June 15th. It prohibits the harvesting of elvers from noon on Saturdays to noon on Sundays. It prohibits the setting of any fyke nets or Sheldon eel traps from February 15th to noon of March 15th and it prohibits claiming any elver fishing locations from February 15th to noon of March 15th.

The law prohibits fishing for elvers from boats, although it allows nets, traps and gear to be transported by boat. It prohibits a person who fishes for elvers with a dip net from fishing while standing in the water of a river, brook or stream. It prohibits fishing for elvers in the middle 3rd of coastal rivers, streams or brooks, as measured at mean high tide. It prohibits the use of dip nets in the mouths of elver fyke nets. It prohibits fishing for elvers within 150 feet of a dam with a fishway, within 150 feet of a fishway and within 50 feet of a licensed alewife trap.

It requires a person to affix to each elver fyke net and Sheldon eel trap a tag issued by the Department of Marine Resources. The law also prohibits a person other than a net tag holder from tending a net unless the person has written permission to do so or is in the presence of the tag holder and has permission to do so.

The law also enacts a violation for molesting an elver fyke net. A violation carries a minimum \$500 fine. In addition, the commissioner is required to suspend for one year the elver fishing license of a person convicted of molesting a fyke net.

It also requires a tender to have an elver fishing license and either be in the presence of the net or trap owner and have verbal permission or have written permission from a marine patrol officer to tend the owner's net or trap. The officer may issue written permission if the net or trap owner can not tend the net or trap because of a disability or personal or family medical condition.

Part B of the law deals with the management of the eel and elver fishery in inland waters. The law prohibits the taking of elvers in inland waters, limits the eligibility for eel weir permits over the next 5 years to persons who held that permit in 1995, prohibits the use of traps and spears when harvesting eels in inland waters and increases the annual freshwater eel pot and eel weir permit fee to \$100. Money from eel pot and eel weir permits sold during calendar years 1996, 1997, 1998, 1999 and 2000 is deposited into the Eel and Elver Management Fund that is administered by the Department of Marine Resources in coordination with the Department of Inland Fisheries and Wildlife.

Chapter 536 was enacted as an emergency measure effective March 14, 1996.

**LD 1210      An Act to Protect Nearshore Groundfish Spawning Areas      ONTP**

Sponsor(s)  
HARRIMAN

Committee Report  
ONTP

Amendments Adopted

LD 1210 proposed to require that the Commissioner of Marine Resources adopt rules by January 1, 1996 that identify the time and location of cod, haddock and yellowtail flounder spawning in coastal waters. The bill proposed to prohibit all commercial harvesting of marine organisms in those spawning areas during the period those species are spawning.

**LD 1647      An Act to Increase the Number of Lobster Traps Allowed on Trawls in Hancock County      ONTP**

Sponsor(s)  
PINKHAM

Committee Report  
ONTP

Amendments Adopted

LD 1647 proposed to increase the number of lobster traps allowed on trawls in Hancock County from 3 to 10.

**LD 1649      An Act to Increase Penalties in the Sea Urchin Fishery      ONTP**

Sponsor(s)  
RICE

Committee Report  
ONTP

Amendments Adopted

LD 1649 proposed to establish a minimum fine of \$500 for violations of laws pertaining to the sea urchin fishery.

**LD 1670      An Act to Permit Retired Marine Patrol Officers to Enter into Commercial Fishing      ONTP**

Sponsor(s)  
POVICH

Committee Report  
ONTP

Amendments Adopted

LD 1670 proposed to provide that a retired marine patrol officer may not be denied a license under the marine resources laws on the basis of a requirement that the officer possessed a license at some time in the past or on the basis that the officer owned and operated a boat or other equipment for the harvesting of a marine organism at some time in the past.

**LD 1695      An Act to Amend the Laws Regarding Drag Limits in South Bay      PUBLIC 518**

<u>Sponsor(s)</u> LOOK	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 1695 proposed to amend the law regarding drag limits in South Bay by clarifying that South Bay is in Lubec and by repealing the requirement that the ring size be the legal size in effect that applies to a holder of a license or federal permit.

***Enacted law summary***

Public Law 1995, chapter 518 amends the law regarding drag limits in South Bay by clarifying that South Bay is in Lubec and by repealing the requirement that the ring size be the legal size in effect that applies to a holder of a license or federal permit.

**LD 1714      An Act to Establish a Sea Urchin Management Plan      PUBLIC 595  
EMERGENCY**

<u>Sponsor(s)</u> RICE LOOK	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-816 H-865
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LD 1714 proposed to make the following changes and additions to the sea urchin laws. The bill proposed to create the Sea Urchin Council to advise the Commissioner of Marine Resources on the use of the Sea Urchin Research Fund. The bill also proposed to broaden the purposes for which the fund may be used and allow the commissioner to use 1/2 of the fund's annual revenues to enforce sea urchin laws.

The bill also proposed to increase the fines for 2nd and 3rd convictions of the sea urchin laws. The bill also proposed to require a 10 day license suspension for a first conviction of the sea urchin laws; a oneyear license suspension for a 2nd conviction of the sea urchin laws; and a lifetime license revocation for a 3rd conviction of the sea urchin laws.

The bill proposed to prohibit dragging for sea urchins between May 1st and October 14th.

The bill proposed to increase the number of sea urchin harvesting zones from 2 to 4 and establish closure times for each zone. The zone closures would be as follows:

- Zone 1 (western) February 1st- July 31st
- Zone 2 (midwestern) March 1st- August 31st
- Zone 3 (mideastern) April 1st- September 30th
- Zone 4 (eastern) February 1st- July 31st

Maine waters would be closed to all sea urchin harvesting for 3 months, from May 1st to July 31st. The bill proposed to allow sea urchin harvesters to fish in 2 adjacent zones. The bill proposed to prohibit sea urchin harvesting on Sundays during the months of August, September, October, February, March and April.

The bill proposed to extend for 4 years certain emergency provisions relating to sea urchin harvesting and exclude from the repeal certain emergency provisions. All of the emergency provisions are currently scheduled to be repealed January 1, 1999. The bill proposed to extend

the repeal date to January 1, 2004. The emergency provisions are the harvesting zones, limited entry, licensing by zone, license surcharges, the Sea Urchin Research Fund and log books. The bill proposed to exclude license surcharges, the Sea Urchin Research Fund and log books from the repeal date.

The bill proposed to require the commissioner to establish conservation beds in each zone. Sea urchin harvesting would be prohibited in the beds at all times.

The bill proposed to establish a roeyield content of 10% per lot, with a 2% tolerance by volume.

The bill proposed to allow the commissioner to annually issue a number of new sea urchin licenses that equals the difference between the number of licenses issued in the prior calendar year and the number of licenses issued in 1994. The new licenses would be distributed equitably among the classes of handfishing, dragging and handraking and trapping licenses. The commissioner would be required to establish a lottery system for awarding the new licenses.

The bill also proposed to establish specific log book requirements for holders of wholesale seafood licenses with a sea urchin processor's permit and for holders of wholesale seafood licenses with a sea urchin buyer's permit.

**Committee Amendment "A" (H16)** proposed to replace the bill. It proposed to establish new sea urchin harvesting seasons for the two sea urchin harvesting zones and enact a process for selecting the days in which harvesting is allowed. The amendment proposed to set a season for hand-harvesting, raking and trapping from August 1st to April 30th of the following year. The Commissioner of Marine Resources would 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 amendment proposed to set a season for harvesting by drags from October 1st to April 30th of the following year. The Commissioner of Marine Resources would 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 would be made in consultation with a Sea Urchin Zone Council.

The amendment also proposes 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 would require changes to be authorized by the Commissioner of Marine Resources. The commissioner could 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 could 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 amendment also proposed changes for the expiration date of sea urchin harvesting licenses from December 31st to June 30th. It also proposed to extend 1996 calendar year licenses to June 30, 1997 and require harvesters to fish during the extended period in the zone for which the license was issued. It also proposed to extend the repeal date of the sea urchin fishery moratorium, the zones and other emergency provisions from January 1, 1999 to June 30, 1999.

The amendment also proposed to enact a \$500 minimum fine for a violation of the sea urchin laws.

**House Amendment "A" to Committee Amendment "A" (H65)** proposed to strike those parts of Committee Amendment "A" that change the expiration date from December 31 to June 30 for a sea urchin and scallop diving tender license, a handfishing sea urchin license, a sea urchin dragners license and a sea urchin handraking and trapping license. It also proposed to strike that part of Committee Amendment "A" that extended the repeal date for emergency provisions.

***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 handharvesting, 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**

<u>Sponsor(s)</u> GOLDTHWAIT	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-430
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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" (S430)** 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.

**LD 1717      An Act Allowing Towns to Form Regional Shellfish Management Committees      PUBLIC 531  
EMERGENCY**

Sponsor(s)  
PINGREE  
SIMONEAU

Committee Report  
OTP-AM

Amendments Adopted  
S-429

LD 1717 proposed to clarify that a shellfish management agreement between 2 or more municipalities may be administered by a regional shellfish conservation committee comprised of residents of the towns in the agreement.

**Committee Amendment "A" (S429)** proposed to add an emergency preamble and emergency clause to the bill.

***Enacted law summary***

Public Law 1995, chapter 531 clarifies that a shellfish management agreement between 2 or more municipalities may be administered by a regional shellfish conservation committee comprised of residents of the towns in the agreement.

Chapter 531 was enacted as an emergency measure effective March 12, 1996.

**LD 1727      An Act Concerning Special Licenses in the Department of  
Marine Resources**

PUBLIC 567

Sponsor(s)  
BUTLAND

Committee Report  
OTP-AM

Amendments Adopted  
S-457

LD 1727 proposed that the Commissioner of Marine Resources be authorized to issue special licenses for research, aquaculture or education without the advice and consent of the Marine Resources Advisory Council.

**Committee Amendment "A" (S457)** proposed to clarify the activities for special licenses, issued by the Commissioner of Marine Resources, that do not require prior approval by the Marine Resources Advisory Council.

***Enacted law summary***

Public Law 1995, chapter 567 authorizes the Commissioner of Marine Resources to issue special licenses for research, aquaculture or education without the advice and consent of the Marine Resources Advisory Council.

**LD 1733      An Act to Clarify Certain Provisions of Law Pertaining to  
Lobster Management**

PUBLIC 568  
EMERGENCY

Sponsor(s)  
PINGREE

Committee Report  
OTP-AM

Amendments Adopted  
S-488

LD 1733 proposed that a person who can document experience as a sternperson on a lobster boat be allowed to obtain a lobster license without entering the apprenticeship program.

**Committee Amendment "A" (S488)** proposed to replace the bill and add an emergency preamble and emergency clause. It proposed to make changes to the restrictions on who may obtain a lobster and crab fishing license in 1996 and later years. It proposed to allow a person to obtain a Class I, Class II or Class III lobster license if:

1. The person held a license and harvested lobsters in 1993 or 1994 or at any time between January 1, 1995 and September 30, 1995;
2. The person documents to the Commissioner of Marine Resources that the person obtained practical lobster fishing experience as a sternperson at any time between January 1, 1995 and October 1, 1995 and during any part of any calendar year prior to calendar year 1995;
3. The person documents to the Commissioner of Marine Resources that the person obtained practical lobster fishing experience as a sternperson during any part of any 2 calendar years prior to calendar year 1995; or
4. The person documents to the Commissioner of Marine Resources that the person made a substantial investment in lobster gear at any time between January 1, 1993 and September 30, 1995. The term "substantial investment" must be defined by the Commissioner of Marine Resources.

The amendment proposed to enact a noncommercial lobster license that would allow a resident to fish for and take lobsters with 5 traps. It also proposed to strike one of the conditions for a waiver from the apprentice program. It proposed to enact a waiver condition allowing the Commissioner of Marine Resources to waive all or part of the experience requirement and program length for a person who held a lobster license in the past and who can document lobster harvesting.

The amendment proposed to clarify that the Commissioner of Marine Resources may not make a rule for a lobster management zone that regulates the number of lobster traps fished and the time periods allowed for complying with that number, the number of lobster traps allowed on a trawl and the time of day when lobster fishing may occur unless the rules were proposed by the lobster management policy council of that zone.

The amendment proposed to exempt regulations for lobster management zones from the process that allows people to petition an agency of the State to make a rule. It also proposed to clarify other provisions of the lobster laws.

#### ***Enacted law summary***

Public Law 1995, chapter 568 makes changes to the restrictions on who may obtain a lobster and crab fishing license in 1996 and later years. It allows a person to obtain a Class I, Class II or Class III lobster license if:

1. The person held a license and harvested lobsters in 1993 or 1994 or at any time between January 1, 1995 and September 30, 1995;

2. The person documents to the Commissioner of Marine Resources that the person obtained practical lobster fishing experience as a sternperson at any time between January 1, 1995 and October 1, 1995 and during any part of any calendar year prior to calendar year 1995;
3. The person documents to the Commissioner of Marine Resources that the person obtained practical lobster fishing experience as a sternperson during any part of any 2 calendar years prior to calendar year 1995; or
4. The person documents to the Commissioner of Marine Resources that the person made a substantial investment in lobster gear at any time between January 1, 1993 and September 30, 1995. The term "substantial investment" must be defined by the Commissioner of Marine Resources.

The law creates a noncommercial lobster license that allows a resident to fish for and take lobsters with 5 traps. It strikes one of the conditions for a waiver from the apprentice program. It enacts a waiver condition allowing the Commissioner of Marine Resources to waive all or part of the experience requirement and program length for a person who held a lobster license in the past and who can document lobster harvesting.

The law clarifies that the Commissioner of Marine Resources may not make a rule for a lobster management zone that regulates the number of lobster traps fished and the time periods allowed for complying with that number, the number of lobster traps allowed on a trawl and the time of day when lobster fishing may occur unless the rules were proposed by the lobster management policy council of that zone.

The law exempts regulations for lobster management zones from the process that allows people to petition an agency of the State to make a rule. It also clarifies other provisions of the lobster laws.

Chapter 568 was enacted as an emergency measure effective March 20, 1996.

**LD 1763**      **An Act to Require a Municipality to Issue the Same Number of Nonresident Recreational Shellfish Licenses as Resident Licenses**      ONTP

Sponsor(s)  
GREENLAW

Committee Report  
ONTP

Amendments Adopted

LD 1763 proposed to require a municipality that enacts a shellfish conservation ordinance to provide an equal number of resident and nonresident recreational licenses.

**LD 1841**      **An Act to Distribute the Assets of the Maine Sardine Council to Council Members upon Dissolution of the Council by the Legislature**      PUBLIC 660

Sponsor(s)  
LOOK

Committee Report  
OTP

Amendments Adopted

LD 1841 proposed that all assets of the Maine Sardine Council, including property, equipment and unexpended cash balances derived from the sardine tax and any other sources, be distributed by the Legislature in an equitable manner among all companies with members on the council who are council members upon the date of dissolution. The Legislature would be required to review recommendations from the Joint Standing Committee on Marine Resources regarding the distribution of assets to council members. The bill also proposed to require the State Auditor to perform an audit of the council's finances prior to the council's dissolution. The bill also proposed to require the council to report annually to the Joint Standing Committee on Marine Resources.

***Enacted Law summary***

Public Law 1995, chapter 660 requires that all assets of the Maine Sardine Council, including property, equipment and unexpended cash balances derived from the sardine tax and any other sources, be distributed by the Legislature in an equitable manner among all companies with members on the council who are council members upon the date of dissolution. The Legislature must review recommendations from the Joint Standing Committee on Marine Resources regarding the distribution of assets to council members. The bill also requires the State Auditor to perform an audit of the council's finances prior to the council's dissolution. The bill also requires the council to report annually to the Joint Standing Committee on Marine Resources.

**LD 1876      An Act Concerning the Salmon Aquaculture Monitoring and Research Fund**

PUBLIC 609  
EMERGENCY

Sponsor(s)  
GOLDTHWAIT

Committee Report  
OTP

Amendments Adopted  
S-515

LD 1876 proposed to repeal the repeal date of July 1, 1996 of the Salmon Aquaculture Monitoring and Research Fund and change its name to the Salmon Aquaculture Monitoring, Research and Development Fund. It also proposed to prescribe 3 purposes for which the Commissioner of Marine Resources may expend fund revenues that exceed the operating expenses of a salmon aquaculture water quality and lease program. The 3 purposes would be: to address emergency matters in the State's salmon aquaculture industry; to address matters of long-term interest to the State's salmon aquaculture industry; and to rebate the excess revenues back to salmon growers who paid the revenues.

The bill also proposed to create the Maine Salmon Aquaculture Advisory Council. The Commissioner of Marine Resources would be required to consult with the council when determining expenditures from the fund.

**Senate Amendment "A" (§515)** proposed to add an allocation and a fiscal note to the bill.

The bill also creates the Maine Salmon Aquaculture Advisory Council. The Commissioner of Marine Resources is required to consult with the council when determining expenditures from the fund.

***Enacted law summary***

Public Law 1995, chapter 609 repeals the repeal date of July 1, 1996 of the Salmon Aquaculture Monitoring and Research Fund and changes its name to the Salmon Aquaculture Monitoring, Research and Development Fund. It also prescribes 3 purposes for which the Commissioner of Marine Resources may expend fund revenues that exceed the operating expenses of a salmon aquaculture water quality and lease program. The 3 purposes are: to address emergency matters in the State's salmon aquaculture industry; to address matters of long-term interest to the State's salmon aquaculture industry; and to rebate the excess revenues back to salmon growers who paid the revenues. The bill also creates the Maine Salmon Aquaculture Advisory Council. The Commissioner of Marine Resources is required to consult with the council when determining expenditures from the fund.

Chapter 609 was enacted as an emergency measure effective April 2, 1996.