

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON MARINE RESOURCES

August 2017

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STATE OF MAINE

128TH LEGISLATURE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 128th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 128th Legislature is Wednesday, November 1, 2017. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Marine Resources

commissioner to charge the holder of an elver fishing license an annual fee not to exceed \$35 for an elver transaction card, and increases the fees for all elver fishing licenses. Public Law 2017, chapter 250 defines "bulk pile" for the purposes of the law on the seizure of illegally harvested elvers as all elvers in the possession of a harvester or dealer who fished for, took, bought or possesses elvers in violation of any law or rule regulating elvers.

LD 287 **Resolve, Prohibiting the Commissioner of Marine Resources from Adopting or Enforcing Certain Rules Limiting the Quantity of Smelts a Person May Take from the Coastal Waters of the State until after Completion of a Study** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANLEY J	ONTP	

This resolve prohibits the Commissioner of Marine Resources from adopting or enforcing a limit on the quantity of smelts a person may take from the coastal waters before the Department of Marine Resources conducts a study of the smelt population in the State's coastal waters and presents its findings to the joint standing committee of the Legislature having jurisdiction over marine resources matters.

LD 369 **An Act To Establish the Seaweed Fisheries Advisory Council and To Enhance the Management of the Seaweed Fishery** **PUBLIC 52**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN M	OTP-AM	H-34

This bill establishes the Seaweed Advisory Council to advise the Commissioner of Marine Resources and the joint standing committee of the Legislature having jurisdiction over marine resources matters on matters of interest to the State's seaweed industry.

Committee Amendment "A" (H-34)

This amendment is the majority report of the committee. The amendment renames the Seaweed Advisory Council, as it is named in the bill, the Seaweed Fisheries Advisory Council. It also adds a member who harvests seaweed and a member of the public to the council. The amendment removes the requirement that the council make recommendations to the joint standing committee of the Legislature having jurisdiction over marine resources matters and removes the provision in the bill that allows the chair of the council to call meetings of the council.

Enacted Law Summary

Public Law 2017, chapter 52 establishes the Seaweed Fisheries Advisory Council to advise the Commissioner of Marine Resources on matters of interest to the State's seaweed industry.

LD 370 **An Act To Improve Productivity in Authorized Municipal Shellfish Conservation Areas with Predation Protection Measures in Place** **Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREIGHT J DOW D	ONTP OTP-AM	

This bill allows a municipality to designate in its municipal shellfish conservation ordinance conservation areas that surround protective netting, fencing, traps or other gear placed by the municipality in the intertidal zone where