

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

This bill amends the law regarding municipal shellfish conservation programs to clarify that the intertidal zone extends from the high-water mark to the extreme low-water mark and that the shellfish conservation ordinances apply only within the intertidal zones of municipalities.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 1520 **An Act To Create an Aquaculture License**

PUBLIC 296

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN M	OTP-AM	H-288 S-324 HAMPER J

This bill creates an aquaculture license that exempts the holder from certain requirements in law to hold a separate license for the removal, possession, transport or sale of cultured marine organisms and authorizes the holder to remove, possess, transport or sell cultured marine organisms.

Committee Amendment "A" (H-288)

This amendment provides that the aquaculture license established in the bill expires on April 30th of each year. The amendment provides an exemption to the requirement to hold an aquaculture license for a holder of a limited-purpose aquaculture license who does not sell the organisms cultured under that license. The amendment establishes that an aquaculture license is not required in order to undertake aquaculture activities until May 1, 2018, before which date other licenses are required for those activities.

Senate Amendment "A" To Committee Amendment "A" (S-324)

This amendment reduces the amount of the fee for an aquaculture license that is deposited in the Aquaculture Management Fund from \$133 to \$74.75.

Enacted Law Summary

Public Law 2017, chapter 296 creates an aquaculture license that exempts the holder from certain requirements in law to hold a separate license for the removal, possession, transport or sale of cultured marine organisms and authorizes the holder to remove, possess, transport or sell cultured marine organisms. The aquaculture license expires on April 30th of each year and is not required in order to undertake aquaculture activities until May 1, 2018, before which date other licenses are required for those activities. Public Law 2017, chapter 296 provides an exemption to the requirement to hold an aquaculture license for a holder of a limited-purpose aquaculture license who does not sell the organisms cultured under that license. The amount of the fee for an aquaculture license that is deposited in the Aquaculture Management Fund is \$74.75.