

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during
the First Regular Session of the 124th Maine Legislature coming from the

JOINT STANDING COMMITTEE ON MARINE RESOURCES

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STATE OF MAINE

124TH LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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:

| | |
|---|---|
| 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; bill died |
| DIED BETWEEN BODIES..... | House & Senate disagree; bill died |
| DIED IN CONCURRENCE..... | One body accepts ONTP report; the other indefinitely postpones the bill |
| DIED ON ADJOURNMENT..... | Action incomplete when session ended; bill died |
| EMERGENCY..... | Enacted law takes effect sooner than 90 days |
| FAILED EMERGENCY ENACTMENT/FINAL PASSAGE..... | Emergency bill failed to get 2/3 vote |
| FAILED ENACTMENT/FINAL PASSAGE..... | Bill failed to get majority vote |
| FAILED MANDATE ENACTMENT..... | Bill imposing local mandate failed to get 2/3 vote |
| NOT PROPERLY BEFORE THE BODY..... | Ruled out of order by the presiding officers; bill died |
| INDEF PP..... | Bill Indefinitely Postponed; bill died |
| ONTP (or Accepted ONTP report)..... | Ought Not To Pass report accepted; bill died |
| P&S XXX..... | Chapter # of enacted Private & Special Law |
| PUBLIC XXX..... | Chapter # of enacted Public Law |
| RESOLVE XXX..... | Chapter # of finally passed Resolve |
| UNSIGNED..... | Bill held by Governor |
| VETO SUSTAINED..... | Legislature failed to override Governor's Veto |

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Marine Resources

LD 32

An Act To Clarify the Disposition of Fines from Maine's Soft-shelled Clam Laws

PUBLIC 24

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| RICHARDSON W | OTP-AM | H-7 |

LD 32 requires that a fine collected for a violation of soft-shelled clam laws be paid to the municipality in which the violation occurred.

Committee Amendment "A" (H-7)

This amendment replaces the bill and clarifies that fines issued pursuant to a violation of a municipal shellfish conservation ordinance must be paid to the municipality in which the violation occurred.

Enacted Law Summary

Public Law 2009, chapter 24 clarifies that fines issued pursuant to a violation of a municipal shellfish conservation ordinance must be paid to the municipality in which the violation occurred.

LD 82

An Act To Create a Penalty for Harvesting Scallops in a Conservation Area

PUBLIC 72

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DAMON | OTP-AM | S-28 |

LD 82 creates penalties for individuals who violate the rules creating scallop conservation areas. For the first offense, a mandatory \$1,000 fine is imposed and all scallops on board may be seized. For a second or subsequent offense, a mandatory \$1,000 fine is imposed, all scallops on board may be seized and a mandatory one-year license suspension is imposed.

Committee Amendment "A" (S-28)

The amendment removes the requirement that a judge impose a \$1,000 fine for a person's first offense involving scallop conservation areas and sets a minimum fine of \$1,000 for subsequent offenses. It also makes technical changes to the bill regarding civil penalties and statutory references.

Enacted Law Summary

Public Law 2009, chapter 72 creates penalties for an individual who violates rules creating scallop conservation areas. It provides that for the first offense, a \$1,000 fine may be imposed and all scallops on board may be seized and for a second or subsequent offense, a mandatory \$1,000 fine and a mandatory one-year license suspension is imposed and all scallops on board may be seized.