

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second 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
SECOND 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 Second 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:

<i>CARRIED OVER</i>	<i>Carried over to a subsequent session of the Legislature</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 HOUSES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</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/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</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>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & 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>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124th Legislature is Monday, July 12, 2010. 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

This bill creates a requirement that seafood and marine worm dealers, when buying directly from a harvester, purchase marine organisms only from a properly licensed person. It also creates a requirement for harvesters, upon a dealer's request, to show their licenses to the dealer.

Enacted Law Summary

Public Law 2009, chapter 478 requires that seafood and marine worm dealers, when buying directly from a harvester, purchase marine organisms only from a properly licensed person. It also requires harvesters, upon a dealer's request, to show their licenses to the dealer.

LD 1593 An Act To Amend the Lobster Meat Laws and Expand Economic Opportunity for Maine's Lobster Industry

**PUBLIC 523
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE DAMON	OTP-AM	H-643

LD 1593 implements some of the recommendations of the Governor's Task Force on the Economic Sustainability of Maine's Lobster Industry. It changes existing laws governing the handling of lobster parts and tails in order to improve the markets for the lobster industry. It eliminates the lobster tail permit and fee and create a new lobster processor license to allow for increased market flexibility through the rule-making process.

Committee Amendment "A" (H-643)

This amendment caps the fee the Department of Marine Resources can set for the lobster processor license by rule at \$750 and to change the effective date of the bill from April 1, 2010 to July 1, 2010.

Enacted Law Summary

Public law 2009, chapter 523 implements some of the recommendations of the Governor's Task Force on the Economic Sustainability of Maine's Lobster Industry. It eliminates the lobster tail permit and fee and creates a new annual lobster processor license that authorizes the activities allowed under the lobster tail permit but also allows the holder to process lobsters and lobster meat in accordance with rules adopted by the commissioner. A person must have a wholesale seafood license with a lobster permit and the lobster processor license to conduct the activities authorized by the processor license. It also authorizes the commissioner to set the fee for the lobster processor license by rule.

Public Law 2009, chapter 523 authorizes the commissioner to grant waivers for specific lobster products not addressed in rules that are produced by holders of the lobster processor license. It also exempts hotels or restaurants from the license if the meat is removed within the establishment for serving on the premise as is currently provided under the lobster meat permit. It caps the fee the Department of Marine Resources can set for the lobster processor license by rule at \$750 and to change.

Public Law 2009, chapter 523 was enacted as an emergency measure effective on July 1, 2010.