

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
125<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON MARINE RESOURCES**

July 2011

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND  
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125<sup>th</sup> 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. 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 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 125<sup>th</sup> Legislature is September 28, 2011. 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***

3. It prohibits the establishment of a fee for registering on the saltwater recreational fishing registry and directs the Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife to administer the saltwater recreational fishing registry within the departments' existing resources.

**LD 319**      **An Act To Amend the Saltwater Recreational Fishing Registry**      **ONTP**  
**Regarding Unauthorized Landing or Possession of Striped Bass**

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

Currently, a saltwater angler may not land or possess striped bass without a striped bass endorsement under the saltwater recreational fishing registry laws or a valid freshwater fishing license. LD 319 provides that the incidental landing or possession of striped bass is not prima facie evidence of a violation.

LD 210 eliminates the striped bass endorsement from the saltwater recreational fishing registry laws.

**LD 337**      **An Act To Make Technical Changes to Aquaculture Laws**      **PUBLIC 93**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD	OTP-AM	H-106

LD 337 makes the following changes to the aquaculture statutes.

1. It repeals the Maine Revised Statutes, Title 12, section 6072, subsection 8-A, regarding preference for limited-purpose lease areas, and integrates the preference for limited-purpose leaseholders into the list of preferences in Title 12, section 6072, subsection 8. It also makes clear that the standard lease can be for the same area or a portion of the same area covered by the experimental lease.
2. It removes the requirement that the Commissioner of Marine Resources hold a public hearing before deciding whether to renew a limited-purpose lease for scientific research and instead provides for a hearing at the commissioner's option or at the request of 5 or more people.
3. It combines the research and aquaculture lease renewal provisions in a single subsection and makes the renewal requirements consistent among the various types of aquaculture leases. It provides that submitting a renewal application to the Department of Marine Resources is sufficient to extend the existing lease until a decision is reached on the renewal. It eliminates the confusion in the existing language about whether the application first has to be reviewed by the department and found to be complete in order to trigger this lease extension.
4. It makes it clear that simply submitting an application for a standard lease under Title 12, section 6072 for an area or a portion of an area already covered by a limited-purpose lease before the limited-purpose lease expires is sufficient to extend the limited-purpose lease pending a decision on the new application. It eliminates the confusion in the existing language about whether the application has to be reviewed by the department and found to be complete in order to trigger this lease extension. The bill also makes it clear that the standard lease can be for the same area or for a portion of the same area already covered by the limited-purpose lease.