

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON MARINE RESOURCES

July 2013

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STATE OF MAINE

126TH 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 126th 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 126th Legislature is October 9, 2013. 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

LD 482

**An Act To Improve the Quality of the Data Used in the Management of
Maine's Fisheries**

PUBLIC 282

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD W	OTP-AM	H-335

This bill makes a number of changes to various aspects of the Department of Marine Resources landings program with regard to reporting requirements. It allows the Commissioner of Marine Resources to share confidential landings data with the Department of Marine Resources, Bureau of Marine Patrol when necessary for reporting enforcement purposes. It requires majority shareholders in corporate entities to identify themselves so that noncompliant wholesale and retail license holders would not be able to incorporate under a new business name and continue operating without remedying their noncompliance. It authorizes the commissioner to suspend licenses for noncompliance with reporting requirements in order to ensure effective catch monitoring and assess an administrative fee if licenses are suspended. It prevents unlicensed crew members on lobster or crab fishing boats and scallop and sea urchin diving tenders from selling any catch and limits selling to certain licensed harvesters. It expands the seaweed buyer's license to include anyone buying seaweed for resale and removes the ability of marine worm and wholesale seafood dealers to harvest seaweed without a license. Finally, it expands the requirement to hold a retail license for the sale of all marine organisms instead of just lobster, crayfish and shellstock.

Committee Amendment "A" (H-335)

This amendment strikes the section of the bill allowing the Commissioner of Marine Resources to share confidential landings data with the Bureau of Marine Patrol within the Department of Marine Resources because that provision duplicates another bill that has already been passed. This amendment provides, in the section authorizing the Commissioner of Marine Resources to suspend licenses for noncompliance with reporting requirements, the person whose license is being suspended with an opportunity to request a hearing. This amendment allows unlicensed crew members to sell lobsters and crabs and licensed scallop and sea urchin diving tenders and holders of handfishing sea urchin licenses to sell scallops and sea urchins as long as they report to the dealer the license under which it was harvested. This amendment strikes the provision that requires a seaweed buyer's license to purchase 10 wet tons or an equivalent number of dry tons of seaweed from harvesters for resale. This amendment clarifies that beginning April 1, 2014 the expansion of retail licenses for the sale of all marine organisms excludes ornamental marine organisms used for exhibition in marine aquaria.

Enacted Law Summary

Public Law 2103, chapter 282 does the following.

1. It provides, in the section authorizing the Commissioner of Marine Resources to suspend licenses for noncompliance with reporting requirements, the person whose license is being suspended with an opportunity to request a hearing.
2. It allows unlicensed crew members to sell lobsters and crabs and licensed scallop and sea urchin diving tenders and holders of handfishing sea urchin licenses to sell scallops and sea urchins as long as they report to the dealer the license under which it was harvested.
3. It clarifies that beginning April 1, 2014 the expansion of retail licenses to the sale of all marine organisms excludes ornamental marine organisms used for exhibition in marine aquaria.

See also enacted law summary for LD 632, which includes the provision from LD 482 that allows the Commissioner of Marine Resources to share confidential landings data with the Bureau of Marine Patrol within the Department of Marine Resources.