

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<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 2013

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# STATE OF MAINE

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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 126<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 126<sup>th</sup> 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*

2. It clarifies the eligibility requirements for Swans Island Conservation Area lobster trap tags. It ensures that a person eligible to take lobsters in the limited-entry zone in which Swans Island is located pursuant to the Department of Marine Resources Rule Chapter 25.90: Swans Island Area Lobster Trap Regulation is eligible to obtain the tags. It also provides that a person who declared the lobster management zone that includes the Swans Island Lobster Conservation Area in the prior calendar year is eligible to obtain Swans Island Lobster Conservation Area trap tags.

Public Law 2013, chapter 342 was enacted as an emergency measure effective June 24, 2013.

**LD 1097**      **An Act To Allow the Sale of Incidentally Caught Lobsters**      **ONTP**

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

This bill allows commercial fishing operators who take lobsters as bycatch from federal Lobster Management Area 3 to land the lobsters at a commercial exchange that auctions fish in the City of Portland with landing limits regulated by the Commissioner of Marine Resources based on the fishery's maintaining the lobster population at optimal levels. This bill directs the Commissioner of Marine Resources to monitor and review the effect of this regulation on the State's ground fishing fleet and report the findings of the review to the joint standing committee of the Legislature having jurisdiction over marine resources matters, which may report out a bill to the Second Regular Session of the 126th Legislature based upon the subject matter of the report.

**LD 1171**      **Resolve, To Allow Certain Holders of Lobster and Crab Fishing Licenses To Harvest River Herring for Personal Use as Bait**      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODALL MACDONALD W	ONTP	

This resolve requires the Department of Marine Resources to adopt rules to allow a person holding a lobster and crab fishing license to take river herring on property that the licensee owns or rents for use as bait by the licensee.

**LD 1224**      **An Act Regarding Advertising of Maine Shellfish**      **ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208.

The purpose of this bill is to ensure that, in any advertisement for the sale of clams, wild clams that are fresh out of the flats and clams that have gone through the depuration process are differentiated.