

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
126<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON MARINE RESOURCES**

May 2014

**STAFF:**

AMY WINSTON, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

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**STATE OF MAINE**  
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**LEGISLATIVE DIGEST OF BILL SUMMARIES AND**  
**ENACTED LAWS**

The *Digest* is arranged 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.

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 Second Regular Session of the 126<sup>th</sup> Legislature is August 1, 2014. 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 832      An Act To Enable Small-scale Cooperative Management of Sea Urchin Resources      ONTP**

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

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

The purpose of the bill is to enable persons involved in the sea urchin fishery to increase economic return of sea urchin resources through resource enhancement and harvest control in designated areas.

**LD 1397      An Act To Create Equity and Fairness in the Elver Industry      ONTP**

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

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

This bill proposes to improve the fairness of the elver licensing process by making the process more comparable to the licensing processes for other similar industries within the Department of Marine Resources.

See LD's 1625 and 1723.

**LD 1452      An Act To Protect Areas in Which Shellfish Conservation Gear Has Been Placed for Predator Control and Habitat Enhancement Purposes and Establish a Municipal Predator Control Pilot Program      PUBLIC 517 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFISKY PRIEST	OTP-AM	S-434

This bill allows a municipality with a shellfish conservation ordinance to apply to the Department of Marine Resources to request a prohibition on marine worm harvesting. It also makes it a civil violation to harvest marine worms from areas closed to the harvest and possession of marine worms.

**Committee Amendment "A" (S-434)**

This amendment replaces the bill. The amendment makes it a civil violation to disturb or molest predator protection gear that has been placed in the intertidal zone as part of a municipal shellfish conservation program. This amendment also establishes a municipal predator control pilot project within the Department of Marine Resources to evaluate the effectiveness of predator control strategies in increasing the survival rate of soft shell clams and marine worms. The amendment establishes that harvesting marine organisms from within pilot project predator control areas, except for municipal removal of green crabs, is prohibited and is a civil violation. The amendment adds an emergency preamble and an emergency clause.

**Enacted Law Summary**

Public Law 2013, chapter 517 makes it a civil violation to disturb or molest predator protection gear that has been

## *Joint Standing Committee on Marine Resources*

placed in the intertidal zone as part of a municipal shellfish conservation program. This law also establishes a municipal predator control pilot project within the Department of Marine Resources to evaluate the effectiveness of predator control strategies in increasing the survival rate of soft shell clams and marine worms. The law prohibits and makes the harvesting of marine organisms from within pilot project predator control areas, except for municipal removal of green crabs, a civil violation. Finally, the law directs the Commissioner of the Department of Marine Resources to develop predator control strategies, which identify the needs of both the soft shell clam and marine worm industries and recognize that both industries have an economic interest in intertidal zone management to mitigate the effects of green crabs. The commissioner is required to report back to the joint standing committee having jurisdiction over marine resources matters no later than January 31, 2015. The committee is authorized to report out a bill related to the subject matter of the report to the First Regular Session of the 127th Legislature.

Public Law 2013, chapter 517 was enacted as an emergency measure effective April 5, 2014.

**LD 1602      *Resolve, Establishing the Commission To Study the Effects of Coastal and Ocean Acidification and Its Existing and Potential Effects on Species That Are Commercially Harvested and Grown along the Maine Coast***

**RESOLVE 110  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN SAVIELLO	OTP-AM	H-725 S-529 HASKELL

This resolve establishes the Commission to Study the Effects of Ocean Acidification and Its Potential Effects on Commercial Shellfish Harvested and Grown along the Maine Coast.

### **Committee Amendment "A" (H-725)**

This amendment replaces the resolve. Like the resolve, it establishes a commission to study ocean acidification, but changes the scope of the study to include the effects of coastal acidification. The amendment also changes the membership of the commission and its duties and reporting date.

### **Senate Amendment "A" To Committee Amendment "A" (S-529)**

This amendment requires the Commission to Study the Effects of Coastal and Ocean Acidification and Its Existing and Potential Effects on Species That Are Commercially Harvested and Grown along the Maine Coast to seek the amount of \$1,500 from outside sources for the costs of the study in this resolve. That amount must be raised by July 1, 2014 in order for the study to continue and the commission to hold meetings or to incur expenses in fiscal year 2014-15.

### **Enacted Law Summary**

Resolve 2013, chapter 110 establishes the Commission to Study the Effects of Coastal and Ocean Acidification and Its Existing and Potential Effects on Species That Are Commercially Harvested and Grown along the Maine Coast. It requires the Commission to seek the amount of \$1,500 from outside sources for the costs of the study in this resolve. That amount must be raised by July 1, 2014 in order for the study to continue and the commission to hold meetings or to incur expenses in fiscal year 2014-15.

Resolve 2013, chapter 110 was finally passed as an emergency measure effective April 30, 2014.