

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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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

6 hours after the end of open season;

- 8. Eliminates language that allows the taking of eels by hoop net;
- 9. Repeals a provision that prohibits a person from selling elvers for any form of payment other than a check that identifies both the seller and the buyer;
- 10. Eliminates language that prohibits an elver license holder or authorized representative from purchasing elvers in any manner other than by a check that identifies both the seller and buyer;
- 11. Enacts a provision that prohibits a person from assisting another person to illegally harvest elvers;
- 12. Specifically provides that elvers that are purchased or possessed that were illegally taken are subject to seizure;
- 13. Removes language requiring that shellfish conservation training programs include training in sampling techniques for the detection of pollutants and contaminants in shellfish areas;
- 14. Increases from 2 quarts to one gallon the amount of shucked scallops a person may take for personal use in any one day without possessing a scallop dragging license;
- 15. Increases from 2 quarts to one gallon the amount of shucked scallops a holder of a noncommercial scallop license may take for personal use in any one day;
- 16. Amends the description of the zone that is closed to sea urchin fishing that is designated "Zone 1";
- 17. Decreases from 125 to 50 the number of marine worms a person may take for personal use in any one day without possessing a marine worm digger's license or a marine worm dealer's license;
- 18. Restricts the allowable landings of northern shrimp for personal use to one standard fish tote;
- 19. Prohibits the issuance of an elver dealer's license after February 1st for the following licensing year;
- 20. Clarifies that an elver dealer's license authorizes licensed activities at only one permanent facility, which cannot be a dwelling, that is owned or legally leased by the license holder;
- 21. Prohibits a person from buying or selling elvers with any form of payment other than a check unless the purchaser provides a written or electronic receipt that identifies both the buyer and seller; and
- 22. Suspends the elver gear lottery until action is taken to reauthorize the lottery.

LD 1549 **An Act To Provide an Exemption for Incidentally Caught Lobsters**

**ACCEPTED
MINORITY
(ONTP) REPORT**

Sponsor(s)
HASKELL

Committee Report
OTP-AM
ONTP

Amendments Adopted

This bill allows the holder of a commercial fishing license while on a boat participating in the federal northeast multispecies fishery fishing exclusively in specific lobster management areas delineated under federal regulation to take, possess or sell lobsters but prohibits the first sale of those lobsters in Maine.

Joint Standing Committee on Marine Resources

Committee Amendment "A" (S-229)

The majority report repeals after three years the exception provided in the bill that allows the holder of a commercial fishing license fishing exclusively in specific lobster management areas under federal jurisdiction to take, possess or sell lobsters. It also clarifies that the lobsters permitted to be taken under the bill may not be first landed in Maine.