

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON MARINE RESOURCES

August 2015

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STATE OF MAINE

127TH 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 127th 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. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i>	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is October 15, 2015. 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

- 4. Advising state agencies, the Legislature, Maine's congressional delegation, the Governor and federal entities on matters of coastal and ocean acidification;
- 5. Assisting the Legislature and the Governor with pending legislation related to coastal and ocean acidification including giving testimony at a public hearing on legislation before a joint standing committee of the Legislature;
- 6. Identifying and promoting economic development opportunities afforded by ocean acidification through development and commercialization of new technologies and businesses;
- 7. Recommending or submitting legislation to the Legislature relating to coastal and ocean acidification matters; and
- 8. Holding public hearings to receive testimony and recommendations from members of the public and qualified experts on matters related to coastal and ocean acidification.

This bill also requires the council to submit an annual report to the Legislature and authorizes the council to accept funding from outside sources and contains a provision repealing the laws establishing the council December 31, 2018.

This bill was carried over over to any special or regular session of the 127th Legislature by joint order H.P. 992.

LD 563 An Act Regarding the Purchase of Trap Tags in the Lobster Fishery ONTP

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

This bill requires the Commissioner of Marine Resources to establish by rule a minimum amount of lobster or crab landings required of a Class I, Class II or Class III lobster and crab fishing license holder in order for the license holder to purchase the maximum number of trap tags available. If the license holder does not report the required amount of landings, the license holder is not eligible to purchase more than 300 trap tags in any subsequent license year.

This bill also provides that a holder of a Class I, Class II or Class III lobster and crab fishing license who has not reported any lobster or crab landings to the Department of Marine Resources during the two years prior to January 1, 2015 may not purchase more than 300 trap tags in the license year beginning in 2016.

LD 669 An Act To Create a Spat Collection License PUBLIC 199

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN LANGLEY	OTP-AM	H-218

This bill creates a new license type that authorizes the collection of spat, which are larval marine organisms.

Committee Amendment "A" (H-218)

This amendment specifies that "spat" means sea scallops or blue mussels in the post-larval stage that have gone through metamorphosis and settled on a substrate and provides that the Commissioner of Marine Resources may add additional species to this definition by rule.

Joint Standing Committee on Marine Resources

This amendment provides that an aquaculture lease or license holder is exempt from the requirement to hold a spat collection license if the species is listed on that person's lease or license and the species is commercially cultured.

This amendment clarifies that a holder of a spat collection license is not required to hold a separate license for harvesting the species identified on the spat collection license for harvesting up to the maximum size of spat of that species, as specified by rule adopted by the commissioner. This amendment reduces the fee for a spat collection license from \$143 to \$75.

This amendment establishes an effective date of January 1, 2016.

Enacted Law Summary

Public Law 2015, chapter 199 creates a spat collection license. This law specifies that "spat" means sea scallops or blue mussels in the post-larval stage that have gone through metamorphosis and settled on a substrate and provides that the Commissioner of Marine Resources may add additional species to this definition by rule.

It provides that an aquaculture lease or license holder is exempt from the requirement to hold a spat collection license if the species is listed on that person's lease or license and the species is commercially cultured.

It clarifies that a holder of a spat collection license is not required to hold a separate license for harvesting the species identified on the spat collection license for harvesting up to the maximum size of spat of that species, as specified by rule adopted by the commissioner.

It reduces the fee for a spat collection license from \$143 to \$75.

Public Law 2015, chapter 199 is effective January 1, 2016.

LD 730 An Act To Make Technical Changes to Maine's Marine Resources Laws

PUBLIC 68

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAKER KUMIEGA	OTP-AM	S-41

This bill makes several technical and clarifying changes to Maine's marine resources laws. The bill:

1. Eliminates the requirement to record a research or aquaculture lease in the county registry of deeds;
2. Clarifies that a student lobster and crab fishing license holder may designate up to three sponsors;
3. Deletes the Kittery lobster trawl limit from statute. All other trawl limits are in department rule;
4. Clarifies that a student lobster and crab fishing license holder must declare a lobster management zone and may not fish a majority of the license holder's gear outside the declared zone;
5. Provides that the coordinates for the Swans Island Lobster Conservation Area are presented in latitude and longitude format and not Loran format;
6. Allows nonresidents who hold aquaculture leases or limited-purpose aquaculture licenses to be issued commercial shellfish licenses. Current law restricts commercial shellfish licenses to Maine residents;
7. Eliminates the limited wholesale shellfish harvester's license; and