

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

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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

This bill further provides that a retired marine patrol officer is eligible for a lobster and crab fishing license with a 400 trap limit.

This bill also provides that a logbook maintained by a holder of a lobster and crab fishing license may not be inspected by the Commissioner of Marine Resources more than four times in any 10-year period.

LD 908 An Act To Promote Sustainability in the Scallop Fishing Industry ONTP

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

This bill creates a 90-pound per day, per person harvesting limit on scallops; however, this bill exempts scallops harvested through aquaculture from this limit. The bill provides that a hand fishing scallop license or scallop dragging license must be issued to an applicant who previously held a hand fishing scallop license or scallop dragging license, which had expired. The bill also imposes a maximum width of five feet, six inches for scallop drags.

LD 1016 An Act To Allow Retired Marine Patrol Officers To Obtain up to 2 Marine Fisheries Licenses ONTP

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

This bill provides that a retired marine patrol officer who applies for a Class I, Class II or Class III lobster and crab fishing license, an elver fishing license, a hand fishing scallop license, a scallop dragging license, a handfishing sea urchin license, a sea urchin dragging license or a sea urchin hand-raking and trapping license must be issued up to two of the licenses, but in no case two of the same license, if certain conditions are met. To be issued a license, the applicant must be eligible for service retirement benefits under the State Employee and Teacher Retirement Program and the issuance of the license must not result in an increase in the total number of licenses outstanding in the fishery for which the license is issued.

**LD 1027 An Act To Create an Elver Exporter's License PUBLIC 45
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KUMIEGA MIRAMANT	OTP-AM	H-100

This bill creates a new license for elver dealers who are exporting elvers out of the State.

Committee Amendment "A" (H-100)

This amendment eliminates the requirement that the Department of Marine Resources issue an elver dealer transaction card to the holder of an elver exporter's license and instead provides that the department must issue an electronic recording device that records the information on an elver dealer transaction card. It also adds an emergency preamble and clause to the bill.

Enacted Law Summary

Joint Standing Committee on Marine Resources

Public Law 2015, chapter 45 creates a new elver exporter's license for elver dealers who are exporting elvers out of the State. The law requires the holder of an elver exporter's license to use an electronic recording device issued by the Department of Marine Resources that records information on an elver dealer transaction card regarding sales, purchases and transportation of elvers.

Public Law 2015, chapter 45 was enacted as an emergency measure effective April 30, 2015.

**LD 1038 An Act To Amend the Emergency Rule-making Authority of the
Department of Marine Resources**

PUBLIC 80

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY KUMIEGA	OTP-AM	S-64

This bill expands the emergency rule-making authority of the Commissioner of Marine Resources to allow the Department of Marine Resources to amend rules to expand opportunity in a fishery if the amendment is in compliance with a federal or interstate fisheries management plan.

Committee Amendment "A" (S-64)

This amendment clarifies the emergency rule-making authority of the Commissioner of Marine Resources to adopt or amend rules to comply with changes to federal or interstate fisheries management plans. The amendment provides that the commissioner must follow the procedures set forth in the Maine Revised Statutes, Title 5, chapter 375 when adopting or amending emergency rules.

Enacted Law Summary

Public Law 2015, chapter 80 clarifies the emergency rule-making authority of the Commissioner of Marine Resources to adopt or amend rules to comply with changes to federal or interstate fisheries management plans. The amendment provides that the commissioner must follow the procedures set forth in the Maine Revised Statutes, Title 5, chapter 375 when adopting or amending emergency rules.

LD 1143 An Act To Promote Protection of Intertidal Rockweed Habitat

ONTP

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

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

This bill proposes to enact measures to protect intertidal rockweed habitat by closing conserved lands, including, but not limited to, national parks and wildlife refuges and state parks, to commercial rockweed harvesting.

This bill further proposes to enact measures to protect intertidal rockweed habitat that would allow a landowner to close certain lands for commercial rockweed harvest at that landowner's discretion. A landowner would be permitted to close the following lands to commercial rockweed harvest: land with use restrictions arising from a recorded conservation easement; land owned by a land trust or other nongovernmental conservation organization held for conservation purposes; municipal parks; land held by a nonprofit entity with a research or educational mission, such as a coastal field station; and wildlife management areas as defined by the Maine Revised Statutes, Title 12, section 10001, subsection 74.

This bill further proposes to enact measures to protect intertidal rockweed habitat that would allow a municipality to