

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON MARINE RESOURCES

August 2017

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128TH 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 128th 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.

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 128th Legislature is Wednesday, November 1, 2017. 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 14 An Act To Extend the Legal Hours for Harvesting Lobster

**PUBLIC 32
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KUMIEGA W	OTP-AM	H-35

This bill extends the legal hours to harvest lobsters by allowing hauling lobster traps beginning at 5 a.m. during the period from October 1st to October 31st.

Committee Amendment "A" (H-35)

This amendment extends the legal hours to harvest lobsters by allowing hauling lobster traps beginning at 4 a.m. during the period from October 1st to October 31st. This amendment adds an emergency preamble and emergency clause and incorporates a fiscal note.

Enacted Law Summary

Public Law 2017, chapter 32, extends the legal hours to harvest lobsters by allowing hauling lobster traps beginning at 4 a.m. during the period from October 1st to October 31st.

Public Law 2017, chapter 32 was enacted as an emergency measure effective April 28, 2017.

LD 68 An Act To Implement an Owner-Operator Requirement in the Scallop and Sea Urchin Fisheries

PUBLIC 222

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLUME L LANGLEY B	OTP-AM	H-323

This bill implements an owner-operator requirement in the scallop dragging and sea urchin dragging fisheries.

The bill provides that a boat may not be used to drag for scallops unless the boat is owned by a scallop dragging license holder and the owner or a family member is on board. The bill implements the same ownership requirement for sea urchin dragging boats and license holders. The bill provides certain exceptions to the boat ownership requirement for illness or disability, for temporary inoperability of the owner's boat and for sale of the boat named on the license and to allow a license holder who meets certain requirements but who does not own a boat to continue fishing in the future. The bill allows a person who cannot meet the boat ownership requirements to hold a license to maintain eligibility for a future license in the limited entry scallop dragging fishery and in the limited entry sea urchin dragging fishery. The bill also provides that the holder of a scallop dragging license or a sea urchin dragging license may operate only the boat named on the license to drag for scallops or sea urchins. The bill provides certain exceptions to the boat operation requirement for illness or disability, for temporary inoperability of the boat and for sale of the boat named on the license. The bill requires the Commissioner of Marine Resources to provisionally adopt rules establishing a limited entry system in the scallop fishery no later than January 12, 2018.

Committee Amendment "A" (H-323)

This amendment replaces the bill. The amendment retains the provisions of the bill that create an owner-operator requirement in the scallop dragging and sea urchin dragging fisheries, but allows a person who fished with a family member in the 2017 fishing season on a boat the person does not own to continue fishing from that boat until the boat is no longer owned by that family member. The amendment also allows a person who does not meet the boat ownership requirements but who dragged for scallops or sea urchins and recorded landings in the 2017 fishing season on a boat the person does not own to continue fishing from that boat until January 1, 2020.

Joint Standing Committee on Marine Resources

The amendment specifies that the prohibition against fishing for or taking scallops from April 16th to November 30th applies only to scallop dragging.

The amendment allows the holder of a sea urchin dragging license to possess gear used for scallop dragging on the boat identified on the sea urchin dragging license if that boat is also listed on any scallop dragging license and there are no scallops on that boat.

Enacted Law Summary

Public Law 2017, chapter 222 creates an owner-operator requirement in the scallop dragging and sea urchin dragging fisheries, but allows a person who fished with a family member in the 2017 fishing season on a boat the person does not own to continue fishing from that boat until the boat is no longer owned by that family member. The amendment also allows a person who does not meet the boat ownership requirements but who dragged for scallops or sea urchins and recorded landings in the 2017 fishing season on a boat the person does not own to continue fishing from that boat until January 1, 2020.

Public Law 2017, chapter 222 specifies that the prohibition against fishing for or taking scallops from April 16th to November 30th applies only to scallop dragging.

Public Law 2017, chapter 222 allows the holder of a sea urchin dragging license to possess gear used for scallop dragging on the boat identified on the sea urchin dragging license if that boat is also listed on any scallop dragging license and there are no scallops on that boat.

LD 113 An Act To Stabilize Lobster Bait Prices

ONTP

Sponsor(s)

ALLEY R
MAKER J

Committee Report

ONTP

Amendments Adopted

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

This bill proposes to enact measures designed to stabilize the price of lobster bait. These measures may include, but are not limited to:

1. Authorizing an increase in the number of people that may fish for bait;
2. Amending the limits on specific species of bait; and
3. Amending restrictions on the types of species that may be used as bait.

LD 115 An Act To Protect the Marine Worm Industry

ONTP

Sponsor(s)

ALLEY R
MAKER J

Committee Report

ONTP

Amendments Adopted

This bill prohibits dragging for mussels in any river in Washington County. The bill also establishes a closed season for marine worms from December 1st through March 31st.