

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> 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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# STATE OF MAINE

128<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



## 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 128<sup>th</sup> 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 128<sup>th</sup> 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 200**

**An Act To Allow Certain Municipal Shellfish Conservation Wardens To Seize and Sell Marine Organisms Taken in Violation of a Shellfish Conservation Ordinance**

**Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIMMONS A	ONTP OTP-AM	

This bill allows a municipal shellfish conservation warden who has completed the training required to make arrests to seize and sell any marine organism taken in connection with an alleged violation of a shellfish conservation ordinance. The proceeds of the sale must be held pending disposition of the proceedings against the alleged violator, at which time the proceeds must either be returned to the person or retained by the municipality to use in connection with its shellfish conservation program.

**Committee Amendment "A" (H-172)**

This amendment is the minority report of the committee. This amendment replaces the bill. The amendment expands upon the provisions of the bill and provides that a municipal shellfish conservation warden may seize and sell shellfish under certain circumstances pursuant to a libel proceeding.

This amendment was not adopted.

**LD 201**

**An Act To Provide Flexibility in the Purchase of Lobster and Crab Trap Tags**

**Accepted Majority (ONTP) Report**

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

This bill adds an exception to the lobster and crab fishing trap tag limits, allowing a holder of a Class I, Class II or Class III lobster and crab fishing license to purchase up to the maximum number of trap tags the license holder purchased under that license in any previous year.

**Committee Amendment "A" (H-105)**

This amendment is the minority report of the committee. This amendment allocates \$50,000 to cover a one-time cost of programming and development changes necessary to implement the provisions of the bill, which allows lobster license holders to vary the number of lobster trap tags they purchase each year.

This amendment was not adopted.

**LD 202**

**An Act To Abolish Municipal Shellfish Ordinances**

**Leave to Withdraw Pursuant to Joint Rule**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIMMONS A		