

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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STATE OF MAINE

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

harvesting any marine organism is prohibited. The designated conservation area must be clearly marked with signs that identify the municipality that designated the area and indicate the purpose of the designated area. Current law imposes certain fines upon municipal shellfish license holders who harvest shellfish from an area closed for conservation purposes. This bill amends that provision to impose certain fines on municipal shellfish license holders and nonlicense holders who harvest any marine organism from an area closed pursuant to a municipal shellfish conservation ordinance.

LD 373 **An Act To Create Pathways To Enter Alternative Marine Industries** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALLEY R MAKER J	ONTP	

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

This bill proposes to allow a person who has completed a lobster and crab fishing apprenticeship to enter a lottery to be allowed to engage in scallop harvesting in the lobstering off-season.

LD 392 **An Act Regarding Legal Lobster Haul Times outside of the 3-mile Line** **ONTP**

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

This bill allows a person who holds a State-issued lobster and crab fishing license who has declared the easternmost lobster management zone as that person's declared lobster zone and who holds a federal permit to fish for lobster to raise or haul a lobster trap during any time of day and on any day of the year seaward of the State's territorial waters.

LD 431 **An Act To Ensure Participation and Equity in the Shellfish Depuration Certification and Compensation Process for Municipalities** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREIGHT J DOW D	ONTP	

This bill amends the laws concerning the shellfish depuration harvesting process to clarify communication between the Department of Marine Resources, municipalities, depuration certificate applicants and holders and licensed commercial shellfish harvesters during the certification process. It also raises the rate of reimbursement paid to the municipality by the depuration certificate holder from 50¢ for each bushel of soft-shelled clams to 25% of the current market value for each bushel. The bill establishes a penalty for noncompliance with any provision of the law regulating the soft-shelled clam depuration harvesting process; a depuration certificate holder found by the department to be in noncompliance is prohibited from engaging in depuration activities under this subsection for a period of one year from the date of the department's finding.