

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

reinstatement of the license that may not exceed the duration of the license suspension. Costs associated with equipment required to be installed must be paid by the license holder.

This amendment was not adopted.

Enacted Law Summary

Public Law 2017, chapter 197 adds to the list of convictions or adjudications that are the basis for suspending a marine resources license a conviction for committing arson or aggravated criminal mischief. Public Law 2017, chapter 197 makes molesting lobster gear, which is currently a civil offense, a Class D crime. Public Law 2017, chapter 197 provides that fishing 25 or fewer untagged lobster traps is a civil violation and fishing more than 25 untagged lobster traps is a Class D crime.

Public Law 2017, chapter 197 expands the behavior for which a marine resources license may be suspended through an administrative process to include setting fire to, sinking or damaging a lobster boat, conduct that would violate certain provisions of the Maine Criminal Code and offenses committed against a marine patrol officer or the officer's family as a result of the officer's performing official duties, regardless of whether that offensive behavior occurs while undertaking an activity for which a marine resources license is required.

Public Law 2017, chapter 197 provides for minimum and maximum lengths for suspension of a marine resources license upon an administrative finding or conviction of molesting lobster gear, fishing over the lobster trap limit or fishing a sunken trap or trawl and provides for minimum lengths for suspension for scrubbing lobsters or setting fire to, sinking or destroying a lobster boat.

Public Law 2017, chapter 197 allows the Commissioner of Marine Resources to reduce the number of traps a lobster and crab fishing license holder may fish following a suspension for one of those offenses.

Public Law 2017, chapter 197 provides that a suspension based upon a conviction or adjudication is the same length as an administrative suspension.

Public Law 2017, chapter 197 allows the commissioner to require a person whose lobster and crab fishing license was suspended for certain offenses to install equipment that allows the Department of Marine Resources to track the geographic location of the vessel listed on that person's lobster and crab fishing license for a period immediately following the reinstatement of the license that may not exceed the duration of the license suspension. Costs associated with equipment required to be installed must be paid by the license holder.

Public Law 2017, chapter 197 was enacted as an emergency measure effective June 14, 2017.

LD 616

An Act To Ensure Consistent Access to Limited-entry Lobster Zones

ONTP

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

This bill prohibits a person holding a Class I, Class II or Class III lobster and crab fishing license who did not hold a Class I, Class II or Class III lobster and crab fishing license prior to the effective date of this legislation from fishing traps in a limited-entry zone that is not the license holder's declared lobster zone.