

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

LD 617 An Act To Allow the Sale of Saltwater Smelt for Bait

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HIGGINS N DAVIS P	ONTP OTP	

This bill allows the holder of a smelt wholesaler's license to possess and sell at the licensee's business facility smelts taken from the State's coastal waters.

LD 622 An Act To Ensure Appropriate Training for Harbor Masters

PUBLIC 54

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BATTLE K CUSHING A	OTP-AM ONTP	H-33

This bill clarifies that the Maine Harbormaster's Association or its successor organization is the entity that provides the required training for harbor masters and deputy harbor masters appointed or reappointed by a municipality.

Committee Amendment "A" (H-33)

This amendment is the majority report of the committee. The amendment specifies that the training course that harbor masters and deputy harbor masters must complete must be offered by a statewide harbor masters association that represents Maine harbor masters.

Enacted Law Summary

Public Law 2017, chapter 54 provides that the training course that harbor masters and deputy harbor masters must complete must be offered by a statewide harbor masters association that represents Maine harbor masters.

LD 646 An Act Regarding Municipal and Regional Shellfish Management Programs

ONTP

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

This bill limits the authority of a shellfish conservation ordinance to the intertidal zone within a municipality. It also allows the Commissioner of Marine Resources to grant regional shellfish management programs additional powers beyond those powers granted to municipal shellfish management programs.

LD 647 An Act Regarding Certain Shellfish Certificates and Permits Issued by the Department of Marine Resources

PUBLIC 224

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIMMONS A	OTP-AM	H-334

Joint Standing Committee on Marine Resources

This bill establishes a fee of \$100 for a shellfish sanitation certificate and a fee of \$50 for each additional activity that is authorized for the holder of a shellfish sanitation certificate. The fees collected are deposited into the Shellfish Fund.

Committee Amendment "A" (H-334)

This amendment replaces the bill. The bill establishes a fee of \$50 for a shellfish sanitation certificate and establishes additional permits for authorized activities under a shellfish sanitation certificate. The permits established are a recirculating wet storage permit, a flow-through wet storage permit, a bulk tagging permit and a shellfish buying station permit. A recirculating wet storage permit is \$200, unless the holder provides weekly test results showing compliance with federal sanitation standards, in which case the fee is \$100; a flow-through wet storage permit is \$100; a bulk tagging permit is \$50; and a shellfish buying station permit is \$100. The amendment increases the fee for a retail seafood license from \$28 to \$100. The amendment establishes a fee of \$200 for a depuration certificate. Like the bill, the amendment requires the fees collected to be deposited in the Shellfish Fund. The amendment provides specified dates on which the Department of Marine Resources may begin assessing fees established in the amendment.

Enacted Law Summary

Public Law 2017, chapter 224 establishes a fee of \$50 for a shellfish sanitation certificate and establishes additional permits for authorized activities under a shellfish sanitation certificate. The permits established are a recirculating wet storage permit, a flow-through wet storage permit, a bulk tagging permit and a shellfish buying station permit. A recirculating wet storage permit is \$200, unless the holder provides weekly test results showing compliance with federal sanitation standards, in which case the fee is \$100; a flow-through wet storage permit is \$100; a bulk tagging permit is \$50; and a shellfish buying station permit is \$100. Public Law 2017, chapter 224 increases the fee for a retail seafood license from \$28 to \$100. Public Law 2017, chapter 224 establishes a fee of \$200 for a depuration certificate. Public Law 2017, chapter 224 requires the fees collected to be deposited in the Shellfish Fund. Public Law 2017, chapter 224 provides specified dates on which the Department of Marine Resources may begin assessing fees established in the amendment.

LD 703 An Act To Address Marine Debris Resulting from Commercial Activities

CARRIED OVER

Sponsor(s)

DEVIN M
VITELLI E

Committee Report

Amendments Adopted

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

This bill proposes to address the problem of marine debris resulting from commercial activities such as commercial fishing and aquaculture. The bill proposes to use current knowledge, information and data generated by previous meetings and conferences and scientific publications along with accepted fishing and aquaculture practices to advance an approach to address marine debris while recognizing that healthy commercial fishing and aquaculture industries are paramount for the economic health of this State.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.