

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON
MARINE RESOURCES**

August 2019

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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 129th 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 129th Legislature is Thursday, September 19, 2019. 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 936 Resolve, Establishing a Commission To Study the Existing and Potential Effects of Freshwater and Marine Debris on Maine's Freshwater and Coastal Habitats and Species CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN M		

This resolve establishes the Commission To Study the Effects of Freshwater and Marine Debris, which is a 13-member commission tasked with studying freshwater and marine debris and how it has affected or potentially will affect Maine's freshwater and ocean and coastal ecosystems, habitats and species. The commission must submit a report, including suggested legislation, to the joint standing committee of the Legislature having jurisdiction over marine resources matters no later than December 4, 2019.

This resolve was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 941 An Act To Further Define the Monhegan Lobster Conservation Area ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN M	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to redefine the status of the Monhegan Lobster Conservation Area.

LD 956 An Act To Allow Student License Holders in the Monhegan Lobster Conservation Area To Fish for or Take Lobsters during a Closed Season PUBLIC 210 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN M	OTP-AM OTP-AM	H-359

This bill allows a person with a student lobster and crab fishing license to fish for or take lobsters during a closed season on fishing for or taking lobsters if that closed season occurs during an interim between school years.

Committee Amendment "A" (H-359)

This amendment is the majority report of the committee. This amendment strikes and replaces the title and bill.

Like the bill, this amendment allows a person with a student lobster and crab fishing license to fish for or take lobster during a closed season on fishing for or taking lobsters if that closed season occurs during an interim between school years, except this amendment limits the permission to a student license holder issued trap tags to fish only in the Monhegan Lobster Conservation Area and that student may fish only during the closed season in the Monhegan Lobster Conservation Area. This amendment changes the number of Monhegan Lobster Conservation Area trap tags that may be issued by the commissioner to a student license holder from 15 to 10 for a student license holder if that person is eight years of age or older and under 11 years of age; 25 for a student license holder if that person is 11 years of age or older and under 14 years of age; and 50 for a student license holder if that person is 14 years of age or older and under 23 years of age.

Joint Standing Committee on Marine Resources

This amendment also adds an emergency preamble and emergency clause so that this legislation will take effect in time for a Monhegan Lobster Conservation Area student license holder to fish for lobster during the summer months.

Committee Amendment "B" (H-360)

This amendment is the minority report of the committee. This amendment strikes and replaces the title and bill.

Like the bill, this amendment allows a person with a student lobster and crab fishing license to fish for or take lobster during a closed season on fishing for or taking lobsters if that closed season occurs during an interim between school years, except this amendment limits the permission to a student license holder issued trap tags to fish only in the Monhegan Lobster Conservation Area who may fish only during the closed season in the Monhegan Lobster Conservation Area. This amendment retains the number of Monhegan Lobster Conservation Area trap tags that may be issued by the commissioner to a student license holder at 15 for a student license holder eight years of age or older and under 14 years of age and increases from 15 to 25 the number of trap tags issued to a student license holder 14 years of age or older and under 23 years of age.

This amendment also adds an emergency preamble and clause so that it will take effect in time for a Monhegan Lobster Conservation Area student license holder to fish for lobster during the summer months.

This amendment was not adopted.

Enacted Law Summary

Public Law 2019, chapter 210 allows a person with a student lobster and crab fishing license to fish for or take lobster during the closed season in the Monhegan Lobster Conservation Area if that closed season occurs during an interim between school years, and the student license holder has been issued trap tags to fish only in the Monhegan Lobster Conservation Area.

This law changes the number of Monhegan Lobster Conservation Area trap tags that may be issued by the commissioner to a student license holder from 15 to 10 for a student license holder if that person is eight years of age or older and under 11 years of age; 25 for a student license holder if that person is 11 years of age or older and under 14 years of age; and 50 for a student license holder if that person is 14 years of age or older and under 23 years of age.

Public Law 2019, chapter 210 was enacted as an emergency measure effective June 6, 2019.

LD 960 An Act To Allow Municipalities with Municipal Shellfish Conservation PUBLIC 144
Ordinances To Establish Minimum and Maximum Size Limits for
Shellfish That Are at Least as Strict as Those Limits Established by the
State

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREIGHT J	OTP-AM	H-177

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the laws governing size requirements for soft-shell clams and to create a spat collection permit for soft-shell clams.

Committee Amendment "A" (H-177)

This amendment replaces the bill, which is a concept draft, and the title. It specifies that a municipality with a municipal shellfish conservation ordinance may establish minimum or maximum size limits on shellfish regulated by the ordinance as long as those limits established are no less stringent than any minimum or maximum size limit