

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST SPECIAL AND SECOND REGULAR SESSIONS



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

**JOINT STANDING COMMITTEE ON
MARINE RESOURCES**

November 2020

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STATE OF MAINE

129TH 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 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	OTP-AM ONTP	

This resolve was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

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.

Committee Amendment "A" (H-733)

This amendment, which is the majority report of the committee, replaces the resolve, removes the emergency preamble and clause and changes the title. It requires the Department of Marine Resources to provide the joint standing committee of the Legislature having jurisdiction over marine resources matters with a report by February 1, 2021, detailing the status of action items identified in the 2019 Gulf of Maine Marine Debris Action Plan published by the National Oceanic and Atmospheric Administration Marine Debris Program. It requires the department to evaluate whether the activities in the action plan are sufficient to reduce marine debris in coastal waters and it also allows the department to make recommendations to reduce marine debris in coastal waters. The amendment authorizes the joint standing committee of the Legislature having jurisdiction over marine resources matters to report out a bill to the First Regular Session of the 130th Legislature based upon the report.

This resolve was carried over in the Senate to any special session of the 129th Legislature by joint order, S.P. 788.

LD 961 An Act To Create the Shellfish Research Fund **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREIGHT J	OTP-AM	H-376

The bill was carried over from the First Regular Session of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

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

This bill proposes to create a research fund for the clam fishing industry in the State.

Committee Amendment "A" (H-376)

This amendment replaces the bill which is a concept draft. It creates the Shellfish Research Fund as a nonlapsing fund administered by the Commissioner of Marine Resources for the purpose of funding shellfish research projects in the State. It provides ongoing funding of \$50,000 per fiscal year from the General Fund. It also allows the commissioner to accept and deposit into the fund any monetary gifts, donations or other contributions from public

Joint Standing Committee on Marine Resources

or private sources. It requires that the commissioner consult with the Shellfish Advisory Council before deciding upon research projects and awarding grants from the fund.

It also increases the membership of the Shellfish Advisory Council from 13 to 14 members. It directs the commissioner to appoint as a member of the Shellfish Advisory Council a person who has a demonstrated knowledge of a marine science and, at minimum, a bachelor's degree in a field of marine science.

This bill was again carried over, still on the Special Appropriations Table, to any special session of the 129th Legislature by joint order, S.P. 788.

**LD 1882 An Act To Provide Noncommercial Lobster and Crab Fishing Licenses PUBLIC 575
and Scallop Licenses to Disabled Veterans at No Cost**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HEPLER A MOORE M	OTP-AM	H-672

This bill allows a resident disabled veteran to obtain upon application, at no cost, a noncommercial lobster and crab fishing license or a noncommercial scallop license.

Committee Amendment "A" (H-672)

This amendment replaces the bill. It clarifies that a qualified resident disabled veteran may obtain a noncommercial lobster and crab fishing license or a noncommercial scallop license at no cost, and it adds reservists to the definition of "qualified resident disabled veteran." It also exempts a qualified resident disabled veteran from paying the scallop license surcharge that is assessed on a noncommercial scallop license.

Enacted Law Summary

Public Law 2019, chapter 575 allows a qualified resident disabled veteran to obtain upon application, at no cost, a noncommercial lobster and crab fishing license or a noncommercial scallop license.

**LD 1906 An Act To Amend the Laws Governing the Composition of the Shellfish PUBLIC 600
Advisory Council**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUELL W	OTP-AM	H-697

This bill changes the composition of the Shellfish Advisory Council by:

1. Eliminating the requirement that three of the four members who are commercial shellfish license holders be soft-shell clam harvesters;
2. Expanding the representation from a member representing the interests of municipalities with wastewater treatment systems to a member who is a municipal official involved in pollution permitting or mitigation;
3. Changing the requirement that two members be municipal shellfish wardens to instead provide that two members must be municipal shellfish officials, including, but not limited to, a municipal shellfish conservation warden or a member of a municipal shellfish management committee;