

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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STATE OF MAINE

129TH 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 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

person receiving an elver quota to be allocated specifically for use in aquaculture shall provide to the Commissioner of Marine Resources a list of elver license holders who provided that person with their elver quota. Once an elver license holder is chosen, that license holder is not eligible to provide elvers to a person allocated an elver quota to be used in aquaculture for a period of three years. A person who has any elver fishing violations in the previous six years is not eligible to provide elvers to a person who receives an elver quota to be used in aquaculture.

This amendment was not adopted.

**LD 1148 An Act Regarding the Costs Incurred by Municipalities in the
Administration of Aquaculture Lease and License Applications**

PUBLIC 112

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------------|-------------------------|---------------------------|
| MCCREIGHT J VITELLI E | OTP-AM ONTP | H-123 |

This bill allows a municipality to charge a reasonable fee to a person granted a Department of Marine Resources aquaculture lease on or under coastal waters to pay for the municipality's administrative costs associated with the lease.

Committee Amendment "A" (H-123)

This amendment is the majority report of the committee. This amendment changes the title and replaces the bill. The amendment specifies that a municipality may not charge a person applying for an aquaculture lease or license a fee of more than \$50 for the municipality's administrative costs associated with the lease or license application.

Enacted Law Summary

Public Law 2019, chapter 112 specifies that a municipality may not charge a person applying for an aquaculture lease or license from the Department of Marine Resources a fee of more than \$50 for the municipality's administrative costs associated with the lease or license application.

**LD 1241 An Act To Improve Survival Rates of Salmon and Other Migratory Fish
Transitioning from Freshwater to Saltwater Environments**

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| DODGE J GRATWICK G | ONTP | |

This bill requires the commissioner, in cooperation with the University of Maine, to establish a smoltification success research program to develop reliable scientific information for use in the management of pollution control efforts and pollution licensing decisions.

It requires that the program include:

1. Investigation of external influences on smoltification success and metamorphosis success of nonsalmonid anadromous species and smolt migration success;
2. Specific attention to evaluating the effects of industrial and sewage treatment plant effluent and other pollutants on the timing of smoltification; and
3. The capacity to systematically analyze the effect of a variety of chemicals found in effluents on the timing of the development of and physical health of smolts and recommendations for conservation and management options.

Joint Standing Committee on Marine Resources

It requires that the analysis include the effluence of biological substances such as pheromones from land-based aquaculture and that analysis of these effects must be conducted cooperatively with the industries and communities that discharge into rivers that are significant for Atlantic salmon and other diadromous fish species.

It also requires the commissioner to submit an annual report to this committee on the success of the program.

LD 1284 An Act To Create the Science and Policy Advisory Council on the ONTP
Impact of Climate Change on Maine's Marine Species

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| BLUME L MOORE M | ONTP | |

This bill establishes the Science and Policy Advisory Council on the Impact of Climate Change on Maine's Marine Species to examine the effects of climate change on Maine's marine ecosystems as habitat for the State's valuable commercial marine species and the direct and indirect effects of climate change on those commercial marine species. The council will identify, study and make recommendations to remediate and mitigate the direct and indirect effects of climate change on marine species that are commercially harvested and grown in the State's coastal and ocean environments.

LD 1285 An Act To Establish Criteria for a Permit To Conduct Research in the ONTP
Intertidal Zone

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BLUME L | ONTP | |

This bill authorizes the Department of Marine Resources to establish criteria for a permit to conduct research in the intertidal zone.

LD 1286 An Act To Allow the Deposition of Oyster Shell Cultch To Ameliorate ONTP
Ocean and Coastal Acidification

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BLUME L | ONTP | |

This bill allows the deposition of oyster shell cultch in intertidal zones or in harbors or rivers below the dividing line between tidewater and fresh water to ameliorate ocean and coastal acidification with the written permission of the Commissioner of Marine Resources, who may issue permission taking into consideration any conditions the commissioner considers appropriate.

LD 1419 An Act To Improve Commercial Production of Shellfish by Allowing ONTP
Municipalities To Establish Active Municipal Shellfish Management
Areas

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MCCREIGHT J | ONTP | |