

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<sup>TH</sup> 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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REP. KATHY IRENE JAVNER  
REP. PINNY BEEBE-CENTER\*

**STAFF:**

DEIRDRE SCHNEIDER, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670  
<http://legislature.maine.gov/opla/>

\*Committee member for a portion of the session

# STATE OF MAINE

129<sup>TH</sup> 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 129<sup>th</sup> 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 129<sup>th</sup> 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**

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 Impact of Climate Change on Maine's Marine Species      ONTP**

<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 Intertidal Zone      ONTP**

<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 Ocean and Coastal Acidification      ONTP**

<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 Municipalities To Establish Active Municipal Shellfish Management Areas      ONTP**

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

## *Joint Standing Committee on Marine Resources*

This bill allows a municipality in its municipal shellfish conservation ordinance to establish active municipal shellfish management areas where a person licensed under the ordinance may employ and develop methods that enhance commercial production of shellfish, which include but are not limited to protective netting, traps, cages and boxes. This bill requires that:

1. Active municipal shellfish management areas do not encompass more than 10% of the intertidal zone;
2. Only a person authorized by the municipality to engage in permitted activities in an active municipal shellfish management area may harvest any marine organisms;
3. Each person authorized to engage in permitted activities in an active municipal shellfish management area is limited to engage in those activities on no more than 2 acres of the intertidal zone;
4. An active municipal shellfish management area may not be established in areas closed by the Commissioner of Marine Resources;
5. Any shellfish harvested in an active municipal shellfish management area comply with minimum size requirements;
6. An active municipal shellfish management area be clearly marked with signs that identify that it has been designated as an active municipal shellfish management area and that harvesting of marine organisms is restricted to only those persons that have been authorized by the municipality;
7. Any gear used in an active municipal shellfish management area no more than 18 inches above the sediment; and
8. A person engaged in permitted activities in an active municipal shellfish management area report any findings and landing data to the Department of Marine Resources.

This bill specifies that a person that harvests any marine organisms from an active municipal shellfish management area in a manner that is not in accordance with law or a municipal shellfish conservation ordinance commits a Class D crime and the fines that are to be applied are the same as those imposed on a person that harvested shellfish from an area closed for conservation purposes that is in current law.

**LD 1420      *Resolve, To Establish a Task Force To Study the Current Status and Future Sustainability of Aquaculture in the State***

**Accepted Majority  
(ONTP) Report**

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

This resolve establishes the Task Force to Study the Current Status and Future Sustainability of Aquaculture in the State.

The 17 members of the task force includes Legislators, organizations with an interest and experience in aquaculture, entities representing municipal interests, state agencies, entities representing commercial fisheries interests; trade association representatives; aquaculture lease and license holders; and a representative from the University of Maine.

The duties of the task force include the following:

1. A review of the report from the Governor's Task Force on the Planning and Development of Marine Aquaculture