

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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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

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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.

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in Maine dated January 30, 2004;

2. An assessment of the current status of aquaculture in the State, including: the number, increase and distribution of leases and licenses; current production levels and production capacity; and environmental effects and the carrying capacity of the coastal marine environment;
3. Identifying aquaculture best practices;
4. A review of relationships with other fisheries;
5. The current economic and workforce effects;
6. Identifying future opportunities; and
7. The exploration of current and proposed community outreach and education.

The task force is required to submit an interim report no later than September 1, 2019 and a final report no later than December 11, 2019 to the Joint Standing Committee on Marine Resources and the Joint Standing Committee on Environment and Natural Resources, which may each submit legislation based on the report to the Second Regular Session of the 129th Legislature.

Committee Amendment "A" (H-356)

This amendment specifies that the Legislative Council is required to provide staffing assistance to the task force instead of requiring that the Department of Marine Resources and the Department of Environmental Protection provide the assistance as in the resolve. It also removes the requirement that the Department of Marine Resources and the Department of Environmental Protection post the interim and final reports on their publicly accessible websites.

This amendment was not adopted.

LD 1514 An Act To Improve Enforcement in the Elver Fishery

PUBLIC 163

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREIGHT J	OTP-AM	H-221

This bill clarifies the laws governing the use of the elver transaction card system and the seizure of illegal elvers. It makes it explicit that any currency used in violation of a marine resources law may be taken through the libel process. It requires license revocation for an individual who sells or purchases elvers without using the transaction card system. Finally, it establishes that if the Department of Marine Resources requires inspection of elver shipments prior to export, the department may charge a fee of up to \$500 per inspection.

Committee Amendment "A" (H-221)

This amendment adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2019, chapter 163 clarifies the laws governing the use of the elver transaction card system and the seizure of illegal elvers. It makes it explicit that any currency used in violation of a marine resources law may be taken through the libel process. It requires license revocation for an individual who sells or purchases elvers

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without using the transaction card system. Finally, it establishes that if the Department of Marine Resources requires inspection of elver shipments prior to export, the department may charge a fee of up to \$500 per inspection.

LD 1552 An Act To Make Technical Changes to Maine's Marine Resources Laws

PUBLIC 225

Sponsor(s)

ALLEY R

Committee Report

OTP-AM

Amendments Adopted

H-289

This bill does the following.

1. It provides that members of the Aquaculture Advisory Council are eligible for reimbursement for travel expenses.
2. It changes from 60 to 30 the number of days in a calendar year that constitute a substantial portion of a vessel's business or trade activities for the purposes of establishing the vessel's base of operations under the commercial fishing laws.
3. It eliminates the Sea Run Fisheries and Habitat Advisory Council.
4. It changes the number of members of the Marine Resources Advisory Council from 16 to 15.
5. It removes obsolete references to the former Atlantic Salmon Commission.
6. It clarifies that an individual who has had that individual's lobster fishing license or right to obtain a lobster fishing license suspended in this State or in another state is not eligible for a nonresident lobster and crab landing permit.

Committee Amendment "A" (H-289)

This amendment clarifies that a person who holds a current lobster and crab fishing license does not need to obtain a commercial green crab only license to fish for or take green crabs or possess, ship, transport or sell green crabs. This amendment also exempts a person from commercial green crab licensing requirements if that person is fishing for, taking, possessing or transporting green crabs for personal use and the green crabs are taken by hand or by speargun, harpoon, minnow trap, hand dip net or hook and line.

Enacted Law Summary

Public Law 2019, chapter 225 does the following.

1. It provides that members of the Aquaculture Advisory Council are eligible for reimbursement for travel expenses.
2. It changes from 60 to 30 the number of days in a calendar year that constitute a substantial portion of a vessel's business or trade activities for the purposes of establishing the vessel's base of operations under the commercial fishing laws.
3. It eliminates the Sea Run Fisheries and Habitat Advisory Council.
4. It changes the number of members of the Marine Resources Advisory Council from 16 to 15.
5. It removes obsolete references to the former Atlantic Salmon Commission.
6. It clarifies that an individual who has had that individual's lobster fishing license or right to obtain a lobster