

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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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/>

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

Services or Maine Revenue Services, the person, when the person becomes compliant, has the remainder of that calendar year and all of the following calendar year to purchase the license; and

5. Clarifies that a person who holds a wholesale seafood license with a lobster permit may remove lobster meat from the shell under either a lobster processor license or a lobster meat permit.

LD 1930 An Act To Amend Maine's Aquaculture Leasing and Licensing Statutes

CARRIED OVER

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

This bill amends the aquaculture leasing and licensing statutes to:

1. Provide that the Department of Environmental Protection receives notices only of those lease applications that involve activities that have a discharge;
2. Expand the reasons under which the Commissioner of Marine Resources may initiate lease revocation proceedings to include operating in a manner substantially injurious to public health or violating minimum lease standards;
3. Reduce the number of days in advance of which an individual must apply for the renewal of a lease from 90 days prior to the expiration to 30 days prior to the expiration;
4. Clarify notice requirements when a standard lease is proposed for renewal;
5. Require the fee for a lease transfer to be paid upon application for the transfer instead of at the execution of the lease;
6. Specify that a person may not apply for an expansion of a lease until the person has held that lease for a minimum of two years;
7. Move the responsibility for notifying riparian landowners of an application for a lease expansion from the applicant to the Department of Marine Resources and move the responsibility for providing public notice in the newspaper from the department to the applicant;
8. Establish the rule-making authority for the commissioner to establish fees for services provided by the department to lease holders if they request testing or studies to ensure their products are safe for human consumption;
9. Broaden the language allowing changes to leases and require the commissioner to establish a fee for making changes to a lease;
10. Remove the commissioner's rule-making authority regarding changes to limited-purpose leases;
11. Limit the ability of the holder of a limited-purpose aquaculture license to have unlicensed individuals participate in the licensed activities by requiring their direct supervision by the license holder; and
12. Raise the fee for a limited-purpose aquaculture license from \$50 to \$100 for a resident and from \$300 to \$400 for a nonresident.

Joint Standing Committee on Marine Resources

This bill, which had been voted but not yet reported out of committee, was carried over in committee to any special session of the 129th Legislature by joint order, S.P. 788.

**LD 2098 An Act To Remove Nighttime Restrictions on Lobster Fishing in a
 Certain Area in the Bay of Fundy**

PUBLIC 568

Sponsor(s)

Committee Report

Amendments Adopted

This bill was reported out by the Joint Standing Committee on Marine Resources pursuant to Resolve 2019, chapter 23, section 2. The resolve directed the Commissioner of Marine Resources to allow a person to raise or haul any lobster trap from September 1, 2019, to October 31, 2019, during any time of the day in an area in the Bay of Fundy, referred to as "the gray zone," that encompasses approximately 210 square miles around Machias Seal Island where there are overlapping claims of sovereignty by the United States and Canada if that person is authorized to fish in the lobster management zone in which the area described is located. The resolve required the commissioner to submit a report to the committee describing the results of this limited allowance, and this bill implements the findings of that report.

This bill allows a person who holds a lobster and crab fishing license to raise or haul any lobster trap during any time of the day from September 1st to October 31st in the gray zone if that person is authorized to fish in that area. The bill also requires the commissioner to define this area in rule to ensure that the boundaries of this area are clearly delineated.

Enacted Law Summary

Public Law 2019, chapter 568 allows a person who holds a lobster and crab fishing license to raise or haul any lobster trap during any time of the day from September 1st to October 31st in the gray zone if that person is authorized to fish in that area. It also requires the commissioner to define the gray zone in rule to ensure that the boundaries of this area are clearly delineated.

**LD 2149 An Act To Protect the Lobster Industry by Providing to Consumers
 Information Regarding Live Lobsters Sold in the State**

CARRIED OVER

Sponsor(s)

Committee Report

Amendments Adopted

JACKSONT

This bill directs the Department of Marine Resources to implement a program to provide to consumers information regarding live lobsters sold in the State. The information, which may be conveyed through labeling, must convey to the consumer certain information regarding the location in which the lobster was landed and the method and length of time of storage.

This bill, which had been referred to committee but not yet heard, was carried over in committee to any special session of the 129th Legislature by joint order, S.P. 788.