

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

JOINT STANDING COMMITTEE ON
MARINE RESOURCES

December 2021

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10. Raise the fee for a limited-purpose aquaculture license from \$50 to \$100 for a resident and from \$300 to \$400 for a nonresident, effective January 1, 2022;
11. 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 from the date the lease was originally executed;
12. Establish the Commissioner's rule-making authority to:
 - A. Set fees for services provided by the department to lease holders for testing or studies requested to ensure their products are safe for human consumption. The fees collected must be deposited in the Shellfish Fund established in Title 12, Maine Revised Statutes, section 6651;
 - B. Adopt and amend rules to implement the issuance, renewal and amendment of marine organism aquaculture licenses; and
 - C. Adopt rules to limit the period of the year during which an applicant may submit an application for a limited-purpose aquaculture license;
13. Remove the commissioner's rule-making authority regarding changes to limited-purpose leases;
14. Broaden the language allowing changes to leases, including to allow modifications in operations as a result of changes in species and gear authorizations;
15. Effective January 1, 2024, require the holder of a limited-purpose aquaculture license to directly supervise any unlicensed individuals participating in the licensed activities;
16. Permit the commissioner to grant an exception to the direct supervision requirement to a limited-purpose aquaculture license holder that also has an ownership interest in an entity, including as a shareholder of a corporation, that also holds an aquaculture lease; and
17. Allow a license holder of a limited-purpose aquaculture license to designate one unlicensed individual as a primary assistant who may conduct the licensed activities without the direct supervision of the license holder.

LD 152 An Act To Address Training Requirements for Harbor Masters

ENACTED LAW SUMMARY

Public Law 2021, chapter 53 requires newly appointed or reappointed harbor masters or deputy harbor masters who have not held the position within the last five years to complete the basic harbor master training course. It requires harbor masters and deputy harbor masters to complete eight hours of continuing education every three years. It permits, but does not require,

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municipalities to pay for required training. It requires a statewide harbor masters association to offer both in-person and remote training options.

LD 263 An Act To Make Technical Changes to Maine's Marine Resources Laws

ENACTED LAW SUMMARY

Public Law 2021, chapter 168:

1. Changes the expiration date of shellfish sanitation certificates from May 31st to March 31st;
2. Clarifies that an aquaculture license is not needed for holders of aquaculture leases or limited-purpose aquaculture licenses who are using the lease or license only for personal use or for research purposes;
3. Clarifies that a lobster trap tag issued by the Department of Marine Resources must be securely attached to the frame of the trap and provides that the specific penalty for violation of a rule adopted by the department may be specified in that rule;
4. Adds into statute a penalty for lobster traps not tagged in accordance with rules adopted by the Department of Marine Resources;
5. Permits the Commissioner of Marine Resources to adopt rules to add or delete authorization for the holder of an aquaculture lease held only for scientific research purposes; and
6. Expands the exemption from requirements to hold a separate license to remove, possess or transport scallops to all scallops and not just when the final product form is the adductor muscle only.

LD 332 An Act To Reevaluate the Frenchboro Area Dragging Exclusion Zone

ENACTED LAW SUMMARY

Public Law 2021, chapter 249 directs the Commissioner of Marine Resources to evaluate the size and boundaries of the Frenchboro area dragging exclusion zone established in Title 12, Maine Revised Statutes, section 6954-A, to determine whether the area boundaries should be modified. If the commissioner determines that modification is required to better achieve the purposes of the zone, the commission may modify the boundaries through rulemaking. The Commissioner is required to report the findings of the evaluation of the Frenchboro area dragging exclusion zone to the Joint Standing Committee on Marine Resources by February 1, 2022.