

MAINE STATE LEGISLATURE

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STATE OF MAINE
131ST 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**

October 2023

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**LEGISLATIVE DIGEST OF BILLS AND
SUMMARIES OF ENACTED LAWS**

This *Legislative Digest of Bills and Summaries of Enacted Laws* provides the disposition of all LDs and summaries of all laws enacted or finally passed during the First Regular and First Special Sessions of the 131st Maine Legislature. Please note that all LDs and proposed amendments may be found through the Legislature’s webpage, and each includes a summary of what the bill or amendment proposed.

The *Legislative Digest of Bills and Summaries of Enacted Laws* is arranged alphabetically by committee. Within each committee section is a subject index of all LDs considered by that committee as well as a digest of the LDs, arranged by LD number. Also included are enacted law summaries of the LDs enacted or finally passed. Brief analyst notes on certain LDs are also included: a committee digest will indicate if additional notes are provided for an LD. These notes add information staff found useful and may provide useful information to users of this *Digest*; please note that most LDs do not have a note and lack of a note should not be interpreted as having any significance. A separate section of the *Digest* provides a digest of the relatively few LDs that were not referred to a committee or reported from a committee as a committee bill; enacted law summaries of the LDs enacted or finally passed are provided. Finally, an appendix provides a summary of relevant session statistics.

The final disposition of each LD is noted in the relevant summary digest and index. 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 and First Special Sessions of the 131st Legislature is Thursday, June 29, 2023 and Wednesday, October 25, 2023, respectively. 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

LD 16 An Act to Make Technical Changes to Maine's Marine Resources Laws

ENACTED LAW SUMMARY

Public Law 2023, chapter 207 does the following.

1. It amends the definition of “scallop” to include bay scallops.
2. It amends a definition of “shellfish” to include scallops.
3. It amends the definition of “whole scallop” to exclude the adductor muscle on the shell.
4. It clarifies that a license-holding member of the Passamaquoddy Tribe, Penobscot Nation, Aroostook Band of Micmacs or Houlton Band of Maliseet Indians is not required to complete the lobster fishery apprentice program if the license applicant has completed an apprentice program that satisfies the tribe, nation or band.
5. It replaces a license exemption for personal use to the commercial halibut fishing license, adds a violation for fishing for halibut without a commercial halibut fishing license and requires the Commissioner of Marine Resources to adopt rules for commercial halibut fishing licenses.
6. It allows the holder of an enhanced retail certificate to purchase shellfish from the holder of an aquaculture license.
7. It corrects cross-references in the administrative suspension process for licenses and certificates issued under marine resources laws.
8. It adds one member who is listed on the saltwater recreational fishing registry and who does not hold any state marine harvesting license to the Marine Resources Advisory Council.
9. It eliminates the secretary position within the Shellfish Advisory Council.
10. Beginning October 1, 2023, it removes the requirement of a limited-purpose aquaculture lessee to submit to the department a report on the lessee's seeding and harvesting for the prior year and a seeding and harvesting plan for the upcoming year. It also allows the commissioner to distribute a copy of the lessee's report on the results of the lessee's scientific research to the municipality or municipalities in which or adjacent to which the lease is located after the municipality submits a written request. The amendment also provides that, beginning October 1, 2023, a limited-purpose aquaculture lessee is no longer required to submit a report on commercial research and development.
11. It provides for a license or certificate suspension hearing to be held if the person requesting the hearing does not hold a license or certificate.
12. It amends the effective dates for changes to activities and exceptions allowed for a limited-purpose aquaculture license.