

STATE OF MAINE
131ST LEGISLATURE
SECOND REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON
MARINE RESOURCES**

June 2024

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Joint Standing Committee on Marine Resources

SUBJECT INDEX

Aquaculture

Enacted LD 2065 An Act to Amend Maine's Aquaculture Leasing Laws PUBLIC 564

Department of Marine Resources

Enacted LD 2064 An Act to Amend the Laws Regarding Certain Advisory Councils and Boards Related to the Department of Marine Resources PUBLIC 556

Fisheries Management

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Enacted LD 2031 An Act to Make Changes to the State's Marine Resources Laws PUBLIC 563

Not Enacted	LD 370	An Act to Protect Marine Resources in Maine	Leave to Withdraw Pursuant to Joint Rule 310
	LD 1145	An Act to Create the Southern Maine Coastal Waters Commission	Leave to Withdraw Pursuant to Joint Rule 310
	LD 2029	An Act Regarding License Suspensions Carried out by the Commissioner of Marine Resources	Leave to Withdraw Pursuant to Joint Rule 310

Rulemaking

Not Enacted	LD 2275	An Act to Ensure That Rules Regarding the Atlantic States Marine Fisheries Commission Are Major Substantive Rules	ONTP
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Shellfish

Not Enacted	LD 1915	Resolve, to Establish a Grant Program to Issue Shellfish Licenses to Qualified Disabled Veterans	Majority (ONTP) Report
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DIGEST OF BILLS
131ST LEGISLATURE SECOND REGULAR SESSION - 2024

Joint Standing Committee on Marine Resources

Comm	LD	Title	Committee Action	Date of last Comm Action	Disposition upon R2 Adjournment	Law	Ch	Analyst Note?
MAR	370	An Act to Protect Marine Resources in Maine	LTW	1/16/2024	Leave to Withdraw Pursuant to Joint Rule 310			
MAR	710	An Act to Fund the Lobster Legal Defense Fund	ONTP	2/6/2024	Ought Not to Pass Pursuant to Joint Rule 310			
MAR	1145	An Act to Create the Southern Maine Coastal Waters Commission	LTW	1/16/2024	Leave to Withdraw Pursuant to Joint Rule 310			
MAR	1915	Resolve, to Establish a Grant Program to Issue Shellfish Licenses to Qualified Disabled Veterans	ONTP/OTP-AM	2/15/2024	Accepted Majority (ONTP) Report			
MAR	2003	An Act to Protect Access to Maine's Intertidal Zone	ONTP	1/17/2024	Ought Not to Pass Pursuant to Joint Rule 310			
MAR	2025	An Act to Provide for Medical and Vessel Breakdown License Exceptions for Commercial Menhaden License Holders	OTP	3/4/2024	Enacted	PL	562	
MAR	2026	An Act to Authorize Medical Waivers for Menhaden Fishing Licenses	OTP-AM	2/26/2024	Enacted	PL	540	
MAR	2029	An Act Regarding License Suspensions Carried out by the Commissioner of Marine Resources	LTW	1/16/2024	Leave to Withdraw Pursuant to Joint Rule 310			
MAR	2031	An Act to Make Changes to the State's Marine Resources Laws	OTP-AM	3/5/2024	Enacted	PL	563	
MAR	2064	An Act to Amend the Laws Regarding Certain Advisory Councils and Boards Related to the Department of Marine Resources	OTP-AM	3/1/2024	Enacted	PL	556	
MAR	2065	An Act to Amend Maine's Aquaculture Leasing Laws	OTP-AM	3/11/2024	Enacted	PL	564	

DIGEST OF BILLS
131ST LEGISLATURE SECOND REGULAR SESSION - 2024

Comm	LD	Title	Committee Action	Date of last Comm Action	Disposition upon R2 Adjournment	Law	Ch	Analyst Note?
MAR	2208	An Act Removing the Lobster Advisory Council from the State Government Evaluation Act Review Requirements	OTP		Enacted	PL	511	
MAR	2275	An Act to Ensure That Rules Regarding the Atlantic States Marine Fisheries Commission Are Major Substantive Rules	ONTP	4/1/2024	Ought Not to Pass Pursuant to Joint Rule 310			

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LD 2025 An Act to Provide for Medical and Vessel Breakdown License Exceptions for Commercial Menhaden License Holders

ENACTED LAW SUMMARY

Public Law 2023, chapter 562 provides that the holder of a commercial menhaden fishing license may fish for, take, possess, ship, transport or sell menhaden that the holder has taken using only the vessel named on the license, with the following exceptions.

1. It allows a commercial menhaden license holder who is unable to fish for or take menhaden due to an illness or disability to request authorization from the Commissioner of Marine Resources and for the commissioner to grant the authorization for another commercial menhaden license holder to fish for or take menhaden on the ill or disabled license holder's behalf.
2. It allows a commercial menhaden license holder to request authorization to use a vessel other than the vessel identified on that license holder's license when that license holder's vessel is temporarily inoperable.

Public Law 2023, chapter 562 also provides that the holder of a noncommercial menhaden fishing license may fish for, take or possess menhaden that the holder has taken using only the vessel named on the license.

LD 2026 An Act to Authorize Medical Waivers for Menhaden Fishing Licenses

ENACTED LAW SUMMARY

Public Law 2023, chapter 540 allows a holder of a resident commercial menhaden fishing license or a nonresident commercial menhaden fishing license to appeal a license denial if a substantial illness or medical condition on the part of the person or a family member prevented that person from meeting the eligibility requirements for that license.

LD 2031 An Act to Make Changes to the State's Marine Resources Laws

ENACTED LAW SUMMARY

Public Law 2023, chapter 563 makes the following changes to the State's marine resources laws.

1. It eliminates the Aquaculture Monitoring, Research and Development Fund, which is no longer capitalized.
2. It clarifies language regarding the requirement for a license holder to have the license holder's license, elver transaction card and photo identification in the license holder's possession when engaging in licensed activities.

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3. It changes the surcharge for a wholesale seafood license with a sea urchin buyer's permit from \$500 to \$160.
4. It removes an existing exception to holding a seaweed permit when selling seaweed that has detached naturally and is dead.
5. It adds an exemption for the harvesting of green crabs that provides that a person may fish for, take, possess or transport green crabs without a license if the person is acting at the direction of a municipal shellfish management committee for the purpose of municipal shellfish management and if the green crabs are not sold.

LD 2064 An Act to Amend the Laws Regarding Certain Advisory Councils and Boards Related to the Department of Marine Resources

ENACTED LAW SUMMARY

Public Law 2023, chapter 556 makes the following changes regarding certain advisory councils and boards related to the Department of Marine Resources.

1. It amends the membership of the Marine Resources Advisory Council by adding the chair of the Aquaculture Advisory Council as an ex officio member and eliminating the member representing the aquaculture industry selected by the Governor.
2. It expands the membership of the Aquaculture Advisory Council from five to seven members and states that, in appointing members to the council, the Commissioner of Marine Resources shall ensure that there is geographic representation as well as representation of multiple sectors of the aquaculture industry. It also states that at least one member and up to two members of the council must be members of the public with expertise in matters related to the work of the council.
3. It limits members of the Aquaculture Advisory Council to no more than two consecutive terms and expands the purpose of the council by requiring the council to make recommendations on matters of interest to the aquaculture industry to the joint standing committee of the Legislature having jurisdiction over marine resources matters. It also specifies officers for the council and increases the required number of meetings from one to two per year.
4. It amends the membership of the board that advises the Commissioner of Marine Resources on expenditures from the Lobster Research, Education and Development Fund by changing the membership structure from one that consists of certain associations to one that consists of individuals representing certain sectors of the lobster industry as well as individuals representing the Maine Lobster Marketing Collaborative and the Lobster Advisory Council.

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LD 2065 An Act to Amend Maine’s Aquaculture Leasing Laws

ENACTED LAW SUMMARY

Public Law 2023, chapter 564 amends the laws governing the aquaculture leasing process in the following ways.

1. It eliminates provisions that are no longer applicable regarding operations that were in effect prior to January 1, 1994.
2. It specifies that the demonstration of financial and technical capabilities at the time of lease application is a preliminary determination.
3. It amends the notice requirement for standard lease applications to the general public to specify that notice must be published once in a newspaper of general circulation in the area of the State affected and by any other manner considered appropriate by the Department of Marine Resources at least 30 days before the hearing.
4. It increases from five to 10 the number of persons required to request a hearing on a lease renewal or a limited-purpose lease application.
5. It increases from 14 to 30 the number of days during which comments may be provided on a lease transfer.
6. It creates a process by which a person who holds a limited-purpose lease may apply to convert that lease into a standard lease, as long as it is for the same lease area and operations that were authorized by the limited-purpose lease.

LD 2208 An Act Removing the Lobster Advisory Council from the State Government Evaluation Act Review Requirements

ENACTED LAW SUMMARY

Public Law 2023, chapter 511 removes the Lobster Advisory Council from the list of agencies scheduled for a review by the joint standing committee of the Legislature having jurisdiction over marine resources matters under the State Government Evaluation Act.

