

## *Joint Standing Committee on Marine Resources*

**PUBLIC 466**      **An Act to Allow Dragging in Lower Taunton Bay**  
**EMERGENCY**

**LD 1786**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON PERCY	OTP	

Public Law 2005, chapter 466 allows dragging in the Taunton River area north of Sullivan Falls and south of the Route 1 bridge in the towns of Hancock and Sullivan in Hancock County. Public Law 2005, chapter 466 is repealed on July 1, 2008.

Public Law 2005, chapter 466 was enacted as an emergency measure effective February 2, 2006.

**PUBLIC 492**      **An Act Regarding the Appointment of Harbor Masters**

**LD 1697**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASTINGS HAMPER	OTP-AM    MAJ OTP-AM    MIN	S-447

Public Law 2005, chapter 492 provides that:

1. The appointment of a harbor master by municipal officers of a town that borders or contains inland waters but does not border or contain territorial waters is discretionary;
2. Municipal authorities may set the compensation for harbor masters appointed under the Maine Revised Statutes, Title 12 which is consistent with harbor master provisions under Title 38;
3. An inland harbor master may not make arrests or carry a firearm unless that harbor master has successfully completed the training requirements prescribed in Title 25, section 2804-I; and
4. Regulation of moorings in inland waters is governed by the provisions of Title 38; the provision in Title 12 referencing the applicability of Title 38 to moorings in inland waters does not limit or expand a municipality's ability to regulate moorings as currently provided in law.

**PUBLIC 505**      **An Act To Amend the Statutes Governing the Commercial Fishing  
Safety Council**

**LD 1764**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON PERCY	OTP-AM    MAJ ONTP        MIN	S-467

Public Law 2005, chapter 505 makes the following changes to the Commercial Fishing Safety Council:

1. It changes the person responsible for making appointments to the council from the Governor to the Commissioner of Marine Resources;

## *Joint Standing Committee on Marine Resources*

2. It removes the requirement that 5 members of the council represent different commercial marine harvesting sectors to allow the appointment of more than one council member from the same sector;
3. It requires the Commercial Fishing Safety Council submit a commercial safety fishing plan to the Commissioner of Marine Resources by October 1<sup>st</sup> of each year and authorizes the commissioner to adopt commercial fishing safety rules recommended by the council.. Prior to Public Law 2005, chapter 505, the Commissioner of Marine Resources was required to submit such a plan to the Commercial Fishing Safety Council; and
4. It requires the Commissioner of Marine Resources and the Commercial Fishing Safety Council to jointly report to the Joint Standing Committee on Marine Resources by January 2, 2007 regarding any rule making activities pursuant to the Maine Revised Statutes, Title 12, section 6176.

**PUBLIC 508**      **An Act To Create a Tiered Wholesale Seafood Dealer's License**  
**EMERGENCY**

**LD 1961**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM    MAJ	H-802
	ONTP      MIN	

Public Law 2005, chapter 508 establishes a tiered wholesale seafood dealer's license by creating a limited wholesale shellfish harvester's license which allows a person holding this license and a commercial shellfish license to sell on the wholesale market only the shellfish taken by the licensee. It allows the licensee to, within or beyond the state limits, sell ship or transport in the wholesale trade the shellfish the licensee has harvested and sets the annual fee for the license at \$100.

Public Law 2005, chapter 508 was enacted as an emergency measure effective March 24, 2006.

**PUBLIC 525**      **An Act To Establish Harbor Master Training Requirements**

**LD 2054**

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

Public Law 2005, chapter 525 requires a person appointed or reappointed a harbor master or a deputy harbor master by a municipality that borders territorial waters after August 31, 2006 to complete a basic harbor master training course within one year after being appointed or reappointed, unless the person has already completed such a course. It also provides that the training requirement of a harbor master or deputy harbor master be paid for by the person receiving that training but allows the municipality at its discretion, to reimburse that person for those costs. Public Law 2005, chapter 525 provides that a municipality may require a harbor master or a deputy harbor master obtain training in addition to the basic harbor master training course.

**PUBLIC 533**      **An Act Relating to Elver Fishing**  
**EMERGENCY**

**LD 2020**

## *Joint Standing Committee on Marine Resources*

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM    MAJ	H-847
	ONTP      MIN	
	OTP-AM    MIN	

Public Law 2005, chapter 533 provides that only those who held an elver fishing license in 2006 are eligible to obtain an elver fishing license in subsequent years. It also requires an elver dealer to report the total harvest of elvers received by that dealer annually to the Department of Marine Resources within 30 days of the close of the elver fishing season.

**PUBLIC 535      An Act To Amend the Laws Regarding Aquaculture Leases**  
**EMERGENCY**

**LD 2049**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERCY	OTP-AM	H-880

Public Law 2005, chapter 535 does the following:

1. It increases the number of acres that can be actively used for aquaculture from an aggregate of 300 acres to an aggregate of 500 acres;
2. It authorizes the Commissioner of Marine Resources to extend the 500-acre limit by rule but limits the total acreage to 1,500 acres per person;
3. It deletes the 12-month minimum fallowing time so that fallows may be of any duration;
4. It gives the Commissioner of Marine Resources the discretion to require a person in aquaculture to submit a fallowing plan and reassessment schedule. Prior to Public Law 2005, chapter 535, a person could be authorized to have up to 500 acres in aquaculture as long as at least 200 acres were fallowed and that person submitted a fallowing plan to the Commissioner of Marine Resources; and
5. It redefines "fallow" to allow gear at the lease site.

Public Law 2005, chapter 535 was enacted as an emergency measure effective April 4, 2006.