

# MAINE STATE LEGISLATURE

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L.D. 2019

(Filing No. H-1214)

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
108TH LEGISLATURE  
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 1939, L.D. 2019, Bill, "AN ACT Making Certain Substantive Revisions to the ~~Marine~~ Resources Statutes."

Amend the bill by striking out everything after the enacting clause and inserting in its place the following:

'Sec. 1. 12 MRSA §6024, sub-§1, first sentence, as enacted by PL 1977, c. 661, §5, is repealed and the following enacted in its place:

The advisory council shall consist of 9 members. Each member shall be appointed by the Governor and shall be subject to review by the Joint Standing Committee on Marine Resources and to confirmation by the Legislature.

Sec. 2. 12 MRSA §6074, sub-§4, as enacted by PL 1977, c. 661, §5, is amended by adding at the end a new sentence to read:  
The Commissioner may, at any time, place conditions or limitations on the licensed activities which shall become part of the license.

Sec. 3. 12 MRSA §6405, as enacted by PL 1977, c. 661, §5, is amended by adding at the end a new sentence to read:

The commissioner may extend the time period if adverse weather conditions or other circumstances beyond the control of the license holder prevent removal within that time period.

Sec. 4. 12 MRSA §6421, sub-§7, as enacted by PL 1977, c. 661, §5, is amended to read:

7. Fee. The fee for the license shall be ~~§20~~ §25 for applicants 17 years of age or older and \$10 for those under 17.

Sec. 4-A. 12 MRSA §6433, sub-§1, ¶E, last sentence, as enacted by PL 1977, c. 661, §5, is repealed.

Sec. 4-B. 12 MRSA §6433, sub-§1, as enacted by PL 1977, c. 661, §5, is amended by inserting at the end the following new paragraph:

The escape vents or gaps shall be installed or made in the parlor sections of the trap on the side or end next to the sill or on the top of the parlor section or, with the vertical gap, in the end of the parlor sections.

Sec. 5. 12 MRSA §6451, sub-§1, as enacted by PL 1977, c. 661, §5, is amended to read:

1. Allocation of license fees. Five-dollars-of Ten dollars of each \$25 fee and five dollars of each \$10 fee for each lobster and crab fishing license fee shall be allocated to the Lobster Fund, which shall be used for the purpose of propagation of lobsters by liberating seed and female lobsters in Maine coastal waters.

Sec. 6. 12 MRSA §6571, sub-§2, as enacted by PL 1977, c. 661,  
§5, is amended to read:

2. Purse seines prohibited. From April 10th to October 15th, both days inclusive, it shall be unlawful to use a purse seine. This subsection shall not prohibit the seining of mackeral or the use of a purse seine to remove the fish caught in a weir or stop seine.

Sec. 7. 12 MRSA §6623, sub-§2, as enacted by PL 1977,  
c. 661, §5, is repealed and the following enacted in its place:

2. Special license for dredging. The commissioner may issue a special license, as provided under section 6074, to operate a hydraulic or mechanical soft shell clam dredge, provided the dredge design is approved by the commissioner. A transportation permit shall not be required to ship, transport or sell soft shell clams harvested under this special license. The dredge shall only be operated below low water. The operation of the dredge shall↔ not substantially interfere with commercial digging and shall not be used for taking any marine worms, lobsters or other crustaceans.

Sec. 8. 12 MRSA §6751, sub-§2, as enacted by PL 1977,  
c. 661, §5, is amended to read:

2. Licensed activity. The holder of a marine worm digger's license may fish for or take marine worms or possess, ship, transport or sell within the State, ~~at retail or to the holder of a marine worm dealer's license,~~ worms he has taken.

Sec. 9. Effective date. This Act shall become effective on January 1, 1979.'

Statement of Fact

This amendment removes everything from the bill and replaces it with the following changes in Marine Resources' laws.

Section 1 requires legislative confirmation of members of the Marine Resources Advisory Council.

Section 2 allows the commissioner to place limitations on a special license at any time.

Section 3 allows the commissioner to extend the time period for removing traps after a suspension.

Section 4 raises the license fees on a lobster and crab fishing license issued to adults.

Sections 4-A and 4-B correct a typographical error in the bill.

Section 5 allocates the increase in section 4 to the Lobster Fund.

Section 6 allows the use of a purse seine to remove fish from a weir in Washington County.

Section 7 requires the special license for soft shell clam dredging to be issued and renewed as other special licenses, and also corrects the language.

Section 8 removes the limitations which /a marine worm digger in selling his worms. restrict

Section 9 sets the effective date of the bill to agree with the revision bill.

Filed by Mrs. Post of Owls Head.

Reproduced and distributed under the direction of the Clerk of the House.

3/21/78

(Filing No. H-1214)