

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1

L.D. 1975

2

(Filing No. H- 528)

3

STATE OF MAINE
HOUSE OF REPRESENTATIVES
111TH LEGISLATURE
SECOND REGULAR SESSION

4

5

6

7

COMMITTEE AMENDMENT "A" to H.P. 1501,
L.D. 1975, Bill, "AN ACT to Permit Possession of
Soft-shell Clam Stocks 2 Inches or Greater in the
Largest Diameter."

10

11

12

13

14

Amend the bill in section 3, in subsection 3, in
the 2nd line from the end (page 2, line 41 in L.D.)
by striking out the underlined word "permits" and in-
serting in its place the underlined word 'licenses'

15

16

17

18

Further amend the bill in section 4, in subsec-
tion 8, by striking out all of paragraph A (page 3,
lines 6 to 9 in L.D.) and inserting in its place the
following:

19

20

21

'A. A municipality that enacts an ordinance un-
der this section shall be responsible for enforc-
ing it.'

22

23

24

25

26

Further amend the bill in section 4, in subsec-
tion 8, in paragraph B, in the 2nd and 3rd lines
(page 3, lines 11 and 12 in L.D.) by striking out the
underlined word "provision" and inserting in its
place the underlined word 'provisions'

27

28

29

30

31

Further amend the bill in section 4, in subsec-
tion 8, in paragraph B, in the 4th line (page 3, line
13 in L.D.) by striking out the underlined word
"commissioners" and inserting in its place the under-
lined word 'commissioner'

32

33

Further amend the bill in section 4 by inserting
at the end the following:

34

35

36

'C. A certified municipal shellfish conservation
warden shall enforce the shellfish ordinances of
the municipality employing him and may arrest all

COMMITTEE AMENDMENT "A" to H.P. 1501, L.D. 1975

1 violators. The warden may serve all process per-
2 taining to the ordinance. The warden shall also
3 have, within his jurisdiction, the powers of a
4 marine patrol officer provided in section 6025,
5 subsection 4. All of the powers conferred in
6 this subsection shall be limited to the enforce-
7 ment of a municipal shellfish conservation ordi-
8 nance.

9

STATEMENT OF FACT

10 The purpose of this amendment is to make municipi-
11 palities solely responsible for the enforcement of
12 municipal shellfish ordinances, to make certain minor
13 technical corrections and to give municipal shellfish
14 wardens the powers to arrest, serve process and con-
15 duct searches where there is probable cause. All
16 powers are limited to the enforcement of a municipal
17 shellfish ordinance.

18

6191030984

Reported by Report "A" of the Committee
on Marine Resources
Reproduced and distributed under the direction
of the Clerk of the House
3/15/84 (Filing No. H-528)