

# MAINE STATE LEGISLATURE

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1

L.D. 1975

2

(Filing No. H-517 )

3

STATE OF MAINE

4

HOUSE OF REPRESENTATIVES

5

111TH LEGISLATURE

6

SECOND REGULAR SESSION

7

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

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Amend the Bill in section 1 by striking out all  
11 of subsections 1 and 2 and inserting in their place  
12 the following:

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'1. Fees to be paid into fund. Twenty-five  
Ninety percent of all fees from shellfish licenses,  
shellfish transportation licenses and wholesale  
seafood license shall be paid into the Shellfish  
Fund. Ten percent of the fees from these licenses  
shall be paid into the General Fund. The fee for each  
of these licenses shall be \$100.

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2. Uses of fund. The commissioner may expend the  
money in the Shellfish Fund for Ten percent of the  
money in the Shellfish Fund may be expended by the  
commissioner for management, enforcement, restora-  
tion, development and conservation of shellfish in  
the intertidal zone or coastal waters. Ten percent of  
the money shall be paid into the General Fund. Seven-  
ty-five percent of the money in the Shellfish Fund  
shall be used for reimbursement to municipalities  
which have local conservation ordinances. Five per-  
cent of the money in the Shellfish Fund shall be used  
by the commissioner for the administration of munic-  
ipal reimbursement under this subsection.

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Further amend the Bill in section 3 by striking  
out all of subsection 3 and inserting in its place  
the following:

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'3. Shellfish conservation ordinance. Within any  
area in of the intertidal zone or coastal waters in

HOUSE AMENDMENT "B" to H.P. 1501, L.D. 1975

1 the municipality, a shellfish conservation ordinance  
2 may regulate or prohibit the ~~taking possession~~ of  
3 shellfish; may fix the amount of shellfish that may  
4 be taken; ~~may shall~~ limit the size of soft shell  
5 soft-shell clams; ~~may fix the qualifications for a~~  
6 ~~license, including municipal residency, may fix li-~~  
7 ~~cence fees in accordance with subchapter 1, article~~  
8 ~~5; and may authorize the municipal officers to open~~  
9 and close flats under specified conditions. ~~Ne A~~ program or ordinance ~~shall shall not~~ regulate areas  
10 closed by regulation of the commissioner. An ordi-  
11 nance may also provide for enforcement, protection  
12 and evaluation of a green crab fencing program.'

14 STATEMENT OF FACT

15 The purposes of this amendment are to set the fee  
16 for shellfish licenses, provide reimbursement to mu-  
17 nicipalities, provide funds to the commission for en-  
18 forcement and administration purposes, prevent loss  
19 of revenues to the General Fund and to prohibit towns  
20 from issuing municipal shellfish licenses.

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Filed by Rep. Scarpino of St. George  
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