

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 (EMERGENCY)
2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 161

7
8 H.P. 136

House of Representatives, January 23, 1985

9 Reference to the Committee on Marine Resources suggested and ordered
10 printed.

11 EDWIN H. PERT, Clerk

Presented by Representative Crowley of Stockton Springs.

12
13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FIVE
17

18 AN ACT to Clarify Certain Penalty Provisions
19 of the Marine Resources Laws.
20

21 Emergency preamble. Whereas, Acts of the Legis-
22 lature do not become effective until 90 days after
23 adjournment unless enacted as emergencies; and

24 Whereas, the 2nd Regular Session of the 111th
25 Legislature strengthened the state's ability to man-
26 age its clam resources which are threatened by over
27 exploitation; and

28 Whereas, the integrity of these management tools
29 is threatened by a legal inconsistency in the penalty
30 provisions of the clam management laws; and

31 Whereas, in the judgment of the Legislature,
32 these facts create an emergency within the meaning of
33 the Constitution of Maine and require the following
34 legislation as immediately necessary for the preser-

1 vation of the public peace, health and safety; now,
2 therefore,

3 Be it enacted by the People of the State of Maine as
4 follows:

5 12 MRSA §6681, sub-§6, as enacted by PL 1983, c.
6 838, §6, is repealed and the following enacted in its
7 place:

8 6. Penalty. Notwithstanding the provisions of
9 Title 17-A, section 4-A, whoever violates a provision
10 of this Article shall be guilty of a crime punishable
11 by a fine of not less than \$100 nor more than \$1,000.

12 **Emergency clause.** In view of the emergency cited
13 in the preamble, this Act shall take effect when ap-
14 proved.

15 STATEMENT OF FACT

16 The purpose of this bill is to make the penalty
17 provisions of the clam management laws internally
18 consistent.

19 2098010485