

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
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3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 390

7 H.P. 301

House of Representatives, January 31, 1985

8 Submitted by the Department of Public Marine Resources pursuant to
9 Joint Rule 24.

10 Referred to the Committee on Marine Resources and ordered printed.
Sent up for concurrence.

EDWIN H. PERT, Clerk

Presented by Representative Mitchell of Freeport.

11 Cosponsored by Representative Scarpino of St. George, Representative
Coles of Harpswell and Senator Chalmers of Knox.

12 STATE OF MAINE
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14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
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17 AN ACT Concerning the Shellfishing
18 Industry.
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20 Be it enacted by the People of the State of Maine as
21 follows:

22 Sec. 1. 12 MRSA §6301, sub-§2, as enacted by PL
23 1977, c. 661, §5, is amended to read:

24 2. Expiration. A license or certificate expires
25 on December 31st of the year in which it is issued,
26 except that a shellfish sanitation certificate, au-
27 thorized under section 6856, shall expire on April
28 30th of each year.

29 Sec. 2. 12 MRSA §6671, sub-§4-B is enacted to
30 read:

31 4-B. Management program approval. The commis-
32 sioner may promulgate regulations that set the crite-
33 ria which must be met by municipal shellfish conser-
34 vation programs and ordinances in order to obtain ap-
35 proval by the commissioner.

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STATEMENT OF FACT

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Current laws provide that licenses and certificates expire on December 31st of each license year. This has created a problem and inconvenience for many of state shellfish dealers and processors. Many of them are not in operation during this recertification period as their businesses are seasonal.

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Changing the certification date to April 30th makes the recertification process coincidental to the time when most of the dealers and processors are operating and eliminates many of the inconveniences to dealers and processors that are currently being experienced.

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Current laws pertaining to municipal shellfish conservation programs give authority to municipalities for implementing those programs within municipal jurisdictions. Implementation of those programs normally require local adoption of ordinances. Those ordinances must be approved by the Commissioner of Marine Resources. This bill authorizes the commissioner to adopt regulations which set the basis for approval of municipal ordinances providing municipalities with clearer guidelines on what should be considered in local management programs.

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