

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 705

H.P. 520

House of Representatives, March 8, 1989

Submitted by the Department of Marine Resources pursuant to Joint Rule 24.
Reference to the Committee on Marine Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative HUTCHINS of Penobscot.

Cosponsored by Senator BRAWN of Knox, Senator BRANNIGAN of Cumberland
and Representative MITCHELL of Freeport.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act Concerning Special Marine Resources Permits.



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

3 12 MRSA §6074, sub-§8 is enacted to read:

5 8. Exemption. Employees of the Department of Marine
7 Resources, when acting in their capacity as employees under the
9 direction of the commissioner or the commissioner's designated
11 representatives, shall not be subject to this section.

11 STATEMENT OF FACT

13
15 Current law makes no distinction between official state
17 business and nonstate business with regard to the requirement to
19 obtain a special license in order to be exempt from one or more
21 marine resources laws. A nonstate business example might be a
23 research project which involves catching certain species of fish
25 outside of the permitted season to ascertain a specific piece of
27 information. An example of state business being undertaken by
29 Department of Marine Resources employees might be to fish for or
take what would otherwise be an illegal product but which is
suspected of being contaminated. Strict interpretation of the
law suggests that a special license is required. This bill
provides that the Department of Marine Resources employees under
instruction from the commissioner are not subject to the
requirement to have a special license in order to be exempt from
specific marine resources laws.