

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 620, L.D. 843, Bill, "An Act to Amend the Nonresident Clam Digging Laws"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 12 MRSA §6671, sub-§3-A, ¶G is enacted to read:

G. The application procedure for nonresident licenses shall be determined by the municipality for the 1990 clam season. For each subsequent year after that in which nonresident commercial shellfish licenses are issued, any individual who held a nonresident commercial license during the 1990 clam season and who is still eligible for a nonresident commercial license shall, upon application, have that nonresident commercial shellfish license renewed.

Any applicant who held a valid nonresident commercial license in the 1990 clam season is automatically eligible for renewal of that license in any subsequent year if more than 50% of the applicant's income is derived from clamming, the applicant has not violated any of the provisions of chapters 601 to 627, and the applicant has held a valid nonresident commercial license in the clam season immediately preceding the season for which the applicant is seeking a renewal of the license.

Each municipality shall establish a priority list of all the individuals who held a nonresident commercial license during the 1990 clam season. This list shall designate the priority which renewal applicants shall have for nonresident commercial licenses in the event the total number of nonresident commercial licenses issued in any year is less than the total nonresident commercial licenses issued during the 1990 clam season.

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Any applicant who held a valid license during the 1990 clam season and who does not receive a nonresident commercial license in any subsequent year because of a reduction in the number of nonresident commercial licenses issued shall, as soon as a nonresident commercial license becomes available, be eligible for renewal of that license, upon application, if more than 50% of the applicant's income was derived from clamming in the last year the applicant held a nonresident commercial license from that municipality and the applicant has not violated any of the provisions of chapters 601 to 627.

Municipalities may establish application procedures to issue additional nonresident commercial licenses when the number of commercial licenses available to nonresidents exceeds the number of nonresidents who receive licenses under the renewal provisions of this paragraph.

Sec. 2. Effective date. This Act shall take effect January 1, 1990.'

STATEMENT OF FACT

This amendment replaces the original bill and establishes a procedure for distribution of nonresident commercial shellfish licenses. This Act will not take effect until January 1, 1990.

Reported by Report "C" of the Committee on Marine Resources
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