

# MAINE STATE LEGISLATURE

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

HOUSE AMENDMENT "**B**" to COMMITTEE AMENDMENT "A" to H.P. 1541, L.D. 2126, Bill, "An Act to Establish Licensing Requirements and a Cooperative Monitoring Program for Mahogany Quahogs"

Amend the amendment in section 3 in subsection 5 in the first line (page 2, line 2 in amendment) by striking out the following: "shall" and inserting in its place the following: 'may'

Further amend the amendment in section 4 in that part designated "§6731-A." in subsection 2 in the 2nd line (page 2, line 24 in amendment) by striking out the following: "an industry-based" and inserting in its place the following: 'a volunteer industry-based'

Further amend the amendment in section 4 in that part designated "§6731-A." in subsection 2 in the 3rd line from the end (page 2, line 28 in amendment) by striking out the following: "assigned to" and inserting in its place the following: 'who have volunteered for'

Further amend the amendment in section 4 in that part designated "§6731-A." in subsection 2 by striking out all of the last sentence.

Further amend the amendment in section 4 in that part designated "§6731-A." by striking out all of subsection 4 and inserting in its place the following:

'4. Rules. The commissioner may adopt rules, in accordance with the Maine Administrative Procedure Act, necessary to achieve the intent of this section.'

2 Further amend the amendment by striking out all of the  
4 fiscal note and inserting in its place the following:

6 **FISCAL NOTE**

8  
10 Enactment of this bill would result in:

12 1. A potential increase in General Fund revenue in an  
14 amount that can not be determined at this time. This increase in  
16 General Fund revenue is based on the establishment of a new,  
18 separate license for quahogs and basically depends on how many  
harvesters would obtain both a scallop license and a new quahog  
license. This increase in revenue is expected to range up to  
\$2,650 for fiscal year 1990-91;

20 2. A potential savings to the Department of Marine  
22 Resources. Currently the department expends approximately  
24 \$20,000 annually for contractually obtaining samples for red tide  
26 testing of quahogs; however, it is unclear at this time as to the  
amount of funds available for fiscal year 1990-91. This proposed  
legislation offers a sample collection system that would allow  
voluntary participation of quahog licensees and therefore the  
cost is expected to be significantly less; and

28 3. A potential cost to the Department of Marine Resources  
30 for rulemaking. However, the department has indicated that it  
32 would absorb any rulemaking costs using existing budgeted  
resources.'

34 **STATEMENT OF FACT**

36 This amendment retains the mahogany quahog license, but  
38 establishes a voluntary process for mahogany quahog harvesters to  
40 assist the Department of Marine Resources' paralytic shellfish  
42 toxin sampling program.

47  
Filed by Rep. Mitchell of Freeport  
Reproduced and distributed under the direction of the Clerk of the  
House  
3/26/90 (Filing No. H-999)