

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1996

Legislative Document

No. 1717

S.P. 657

In Senate, January 16, 1996

**An Act Allowing Towns to Form Regional Shellfish Management
Committees.**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Marine Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator PINGREE of Knox.
Cosponsored by Representative SIMONEAU of Thomaston and
Representatives: BENEDIKT of Brunswick, ETNIER of Harpswell, RICE of South Bristol.

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

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Sec. 1. 12 MRSA §6671, sub-§2, as amended by PL 1983, c. 838, §2, is further amended to read:

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2. Municipal program and ordinance. Any municipality may, by vote of its legislative body, adopt, amend or repeal a shellfish conservation ordinance regulating the possession of shellfish in any area of the municipality as provided by this section. A municipal shellfish management committee comprised of residents of that municipality may be established to administer a municipal program.

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Sec. 2. 12 MRSA §6671, sub-§3-A, ¶F, as enacted by PL 1989, c. 257, §§4 and 5, is amended to read:

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F. When 2 or more municipalities have entered into an ~~agreement with one another for joint or cooperative action under this subsection~~ a regional shellfish management agreement pursuant to subsection 7, the combined total number of commercial licenses for nonresidents provided by those municipalities shall must be a number not less than 10% of the combined total number of commercial licenses issued for residents. When the combined total number of resident commercial licenses is fewer than 10 but more than 5, at least one nonresident commercial license shall must be provided. When the combined total number of resident commercial licenses is 5 or fewer, nonresident commercial licenses shall are not be required.

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Sec. 3. 12 MRSA §6671, sub-§7, as enacted by PL 1977, c. 661, §5, is amended to read:

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7. Joint programs; reciprocal privileges. Municipalities may enter into ~~joint-conservation~~ regional shellfish management agreements with other municipalities and adopt ~~joint~~ regional shellfish management programs. The agreements, and the programs and ordinances adopted under them, shall-~~be~~ are subject to the same requirements as municipal programs and ordinances. Resident privileges of one municipality in a ~~joint~~ regional shellfish management agreement may be extended to the residents of other municipalities in the agreement. Notwithstanding subsection 2, a regional shellfish management committee comprised of at least one resident from each municipality named in the regional agreement may be established to administer a regional program.

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STATEMENT OF FACT

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4 This bill clarifies that a shellfish management agreement
6 between 2 or more municipalities may be administered by a
regional shellfish conservation committee comprised of residents
of the towns in the agreement.