

MAINE STATE LEGISLATURE

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A. G. S.

L.D. 1727

DATE: March 6, 1996

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MARINE RESOURCES

Reported by: Senator PINGREE of Knox for the Committee.

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**STATE OF MAINE
SENATE
117TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT " A " to S.P. 667, L.D. 1727, Bill, "An Act Concerning Special Licenses in the Department of Marine Resources"

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 §6074, first ¶, as amended by PL 1989, c. 204, §1, is further amended to read:

~~The commissioner may, with the advice and consent of the advisory council, issue a special license for research, aquaculture or education, which that exempts the holder from one or more marine resources' laws as to the time, place, length, condition, amount and manner of taking or possessing any a marine organism. Special licenses issued by the commissioner to employees of the department when they are acting in their capacity as employees under the direction of the commissioner or the commissioner's designated representative do not require the advice and consent of the advisory council. Except as provided in subsection 8, the commissioner may not issue a special license unless the application for that license is approved by the advisory council.~~

Sec. 2. 12 MRSA §6074, sub-§8 is enacted to read:

8. Council approval not required. Approval by the advisory council is not required for a special license issued by the commissioner to the following:

2 A. An employee of the department when the employee is
4 acting under the direction of the commissioner or the
commissioner's designated representative;

6 B. A person who operates an aquarium;

8 C. A person who operates a festival;

10 D. A person who undertakes a public service activity; or

12 E. A municipality that operates a hydraulic or mechanical
14 soft-shell clam dredge for municipal transplanting projects
under section 6623.'

16
18 **STATEMENT OF FACT**

20 This amendment clarifies the activities for special
22 licenses, issued by the Department of Marine Resources, that do
not require prior approval by the Marine Resources Advisory
Council.