

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 436

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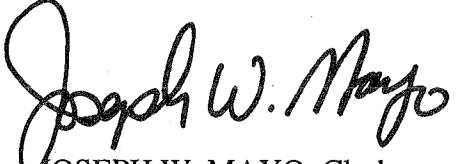
H.P. 314

House of Representatives, January 23, 1997

**An Act Authorizing the St. George River Shellfish Management  
Committee to Determine Availability of and Fees for Clam Licenses.**

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Reference to the Committee on Marine Resources suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative SKOGLUND of St. George.  
Cosponsored by Senator PINGREE of Knox and  
Representatives: GOODWIN of Pembroke, PERKINS of Penobscot, SAVAGE of Union.

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

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3       **Sec. 1. 12 MRSA §6671, sub-§3-A, ¶B,** as amended by PL 1991, c.  
4 784, §6, is further amended to read:

6       B. A shellfish conservation ordinance may fix license  
7 fees. The fee for a resident license may not exceed \$200  
8 and the fee for a nonresident license may be not more than  
9 twice the resident fee, except that the municipalities of  
10 St. George, Cushing, South Thomaston, Thomaston and Warren  
11 may fix license fees at any amount for the purpose of  
12 generating revenue to sustain their shellfish conservation  
13 programs.

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15       **Sec. 2. 12 MRSA §6671, sub-§4, ¶¶A and B,** as repealed and  
16 replaced by PL 1991, c. 390, §5, are amended to read:

18       A. Prior to adopting an ordinance, a municipality or  
19 unorganized township shall raise or appropriate money for a  
20 shellfish conservation program within the 2 previous years.  
21 This paragraph does not apply to the municipalities of St.  
22 George, Cushing, South Thomaston, Thomaston and Warren.

24       B. Any ordinance proposed by a municipality or unorganized  
25 territory under this section must be approved in writing by  
26 the commissioner prior to its adoption, except that approval  
27 by the commissioner is not required for the fees included in  
28 an ordinance proposed by the municipalities of St. George,  
29 Cushing, South Thomaston, Thomaston and Warren.

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31       **Sec. 3. 12 MRSA §6671, sub-§4-B,** as enacted by PL 1985, c. 52,  
32 §2, is amended to read:

34       **4-B. Management program approval.** The commissioner may  
35 ~~promulgate regulations~~ adopt rules that set the criteria which  
36 that must be met by municipal shellfish conservation programs and  
37 ordinances in order to obtain approval by the commissioner,  
38 except that rules pertaining to fees do not apply to the  
39 municipalities of St. George, Cushing, South Thomaston, Thomaston  
40 and Warren.

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## SUMMARY

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48       This bill allows the municipalities of St. George, Cushing  
49 South Thomaston, Thomaston and Warren to determine the cost of  
50 municipal shellfish licenses. These 5 municipalities have  
51 entered into a regional shellfish management agreement and have  
52 formed the St. George River Shellfish Management Committee.