

# MAINE STATE LEGISLATURE

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MARINE RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 920, L.D. 1263, Bill, "An Act to Eliminate the Need for a Retail Seafood License to Sell Prepared Seafood"

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

Sec. 1. 12 MRSA §6302, as enacted by PL 1977, c. 661, §5, is amended to read:

§6302. General exceptions

Notwithstanding any licensing provision, no a license or certificate shall-be is not required for a person to:

1. Personal use. Possess or transport any marine organism which that has been lawfully acquired and is for personal use. A receipt or bill of sale shall--be is required for lawful acquisition;

2. Common carrier. Carry any marine organism by a common carrier; e#

3. Hermetically sealed containers. Buy, sell, ship or transport within or beyond the state limits or possess any marine organism which that is in a heremetieally hermetically sealed container, ; or

4. Retail sale of certain seafood products. Sell at retail:

COMMITTEE AMENDMENT

2 A. Shucked shellfish, if the shucked shellfish is purchased  
4 from a wholesale seafood license holder certified under  
section 6856; or

6 B. Lobster parts or meat, if they are purchased from a  
8 wholesale seafood license holder who possesses a lobster  
meat permit under section 6857 or if they have been lawfully  
imported.'

10 Further amend the bill by inserting at the end before the  
12 summary the following:

14 **FISCAL NOTE**

|    |                 |                |                |
|----|-----------------|----------------|----------------|
| 16 |                 | <b>1997-98</b> | <b>1998-99</b> |
| 18 | <b>REVENUES</b> |                |                |
| 20 | General Fund    | (\$1,955)      | (\$2,550)      |

22 The exemption of certain retail seafood license requirements  
24 will reduce General Fund revenue by \$1,955 and \$2,550 in fiscal  
26 years 1997-98 and 1998-99, respectively.

28 This bill may reduce prosecutions for Class D crimes. If  
30 jail sentences are reduced, the savings to the counties are  
32 estimated to be \$83.78 per day per prisoner. These savings do  
34 not affect reimbursement by the State. The reduction in the  
number of prosecutions that would have resulted in a jail  
sentence and the resulting savings to the county jail system are  
expected to be insignificant.

36 The Judicial Department may realize some minor  
38 administrative savings from reductions of workload,  
administrative costs and indigent defense costs. Reductions in  
the collection of fines may decrease General Fund revenue by  
minor amounts.'

40 **SUMMARY**

42 This amendment allows a person to sell at retail shucked  
44 shellfish, provided the shellfish is obtained from a certified  
46 shellfish dealer. It also allows a person to sell lobster parts  
and meat, provided the lobster parts and meat are obtained from a  
48 wholesale seafood license holder who has a permit to process  
lobster parts and meat.