

MAINE STATE LEGISLATURE

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M
R. O. S.

L.D. 720

DATE: 4-5-99

(Filing No. H-159)

MARINE RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 513, L.D. 720, Bill, "An Act Concerning the Method of Taking of Soft Shell Clams"

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 §6623, sub-§1-A is enacted to read:

1-A. Artificial breathing device prohibited. A person may not fish for or take soft shell clams while using an artificial breathing device that allows that person to breathe underwater. This subsection does not apply to the holder of a lease issued under section 6072, 6072-A or 6072-B when fishing for or taking soft shell clams cultivated on the leased area.'

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

'FISCAL NOTE

This bill may increase prosecutions for Class D crimes. If a jail sentence is imposed, the additional costs to the counties are estimated to be \$82.48 per day per prisoner. These costs are not reimbursed by the State. The number of prosecutions that may

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2 result in a jail sentence and the resulting costs to the county
jail system are expected to be insignificant.

4 The additional workload, administrative costs and indigent
6 defense costs associated with the minimal number of new cases
filed in the court system can be absorbed within the budgeted
8 resources of the Judicial Department. The collection of
additional fines may also increase General Fund revenue by minor
amounts.'

10
12 **SUMMARY**

14 This amendment prohibits the use of an artificial breathing
16 device when fishing for or taking soft shell clams but exempts
the holder of an aquaculture lease from the prohibition when
18 fishing for or taking soft shell clams cultivated on the leased
area. This amendment also adds a fiscal note to the bill.