## MAINE STATE LEGISLATURE

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	_		L.D.	1955

<sup>2</sup> DATE: 4-5-04

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## STATE OF MAINE SENATE 121ST LEGISLATURE SECOND SPECIAL SESSION

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SENATE AMENDMENT "A" to H.P. 1455, L.D. 1955, "Resolve, Directing the Commissioner of Marine Resources To Review the Issues Associated with the Issuance of a Nonresident Lobster License"

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Amend the resolve by striking out the title and substituting the following:

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'Resolve, Directing the Commissioner of Marine Resources To Review the Licensing Requirements for the Harvest of Certain Marine Resources'

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Further amend the resolve by striking out everything after the title and before the summary and inserting in its place the following:

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'Preamble. Whereas, the Legislature finds that state laws pertaining to marine resources, including but not limited to the commercial utilization of lobster, scallop, sea urchins, finfish, marine worms and shellfish, were duly enacted and are constitutionally valid; and

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Whereas, it is essential for the long-term viability and health of Maine's marine resources that all of Maine's marine resources-related laws continue to be vigorously enforced; and

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Whereas, state laws pertaining to marine resources must function in accordance with numerous federal laws and within the framework established by the United States Constitution and the Constitution of Maine to provide legal stability for the long-term management of these resources; and

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## SENATE AMENDMENT "A" to H.P. 1455, L.D. 1955

N. O. S.

Whereas, the periodic review of Maine's marine resourcesrelated laws is necessary to improve the operation and effectiveness of those laws; and

Whereas, the Department of Marine Resources is uniquely situated to identify opportunities that will ensure the long-term conservation of Maine's outstanding marine resources; now, therefore, be it

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Sec. 1. Review of certain licenses. Resolved: That Commissioner of Marine Resources shall review the State's licensing requirements for the commercial harvest of lobster, scallop, sea urchin, shrimp, shellfish, marine worm and seaweed resources to identify any opportunities to improve the operation and effectiveness of those laws in the context of federal law, the United States Constitution and the Constitution of Maine. In conducting the review, the commissioner shall consult with the Office of the Attorney General and may solicit input from other federal, state or municipal entities and interested parties; and be it further

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Sec. 2. Recommendations; report. Resolved: That no later than January 3, 2005 the Commissioner of Marine Resources shall submit the commissioner's report and recommendations, together with any necessary implementing legislation, to the joint standing committee of the Legislature having jurisdiction over marine resources matters. The commissioner is authorized to introduce a bill related to the report to the First Regular Session of the 122nd Legislature.'

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## **SUMMARY**

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This amendment replaces the resolve and changes the title and requires the Commissioner of Marine Resources to review the licensing requirements for the harvest of certain marine resources and to submit the commissioner's report and any recommendations to the joint standing committee of the Legislature having jurisdiction over marine resources matters no later than January 3, 2005. The amendment also authorizes the commissioner to submit a bill related to the report to the First Regular Session of the 122nd Legislature.

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SPONSORED BY: Denney Comment

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(Senator DAMON)

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COUNTY: Hancock

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