

M 3.			
K • •	1		L.D. 2006
	2	Date: 2-26-08	(Filing No. S-434)
	3	3 MARINE RESOURCES	
	4	Reproduced and distributed under the direction of the Secretary of the Senate.	
	5	STATE OF MAINE	
	6	SENATE	
	7	123RD LEGISLATURE	
	8	SECOND REGUL	
	9 10	COMMITTEE AMENDMENT " Å " to S. Municipalities Control of Mussels Located in In	
	11 12	Amend the bill by striking out everything summary and inserting the following:	after the enacting clause and before the
	13 14	'Sec. 1. 12 MRSA §6671, sub-§3, ¶A, as enacted by PL 2001, c. 188, §2, is amended to read:	
	15	A. Within any area of the municipality, a s	shellfish conservation ordinance may:
	16	(1) Regulate or prohibit the possession	of shellfish;
	17	(2) Fix the amount of shellfish that may	v be taken;
	18	(3) Provide for protection from shellfish	h predators; and
	19	(4) Authorize the municipal officials	to open and close flats under specified
	20	conditions- <u>; and</u>	
	21	(5) Specify areas of the intertidal zone	in which the dragging of mussels may be
	22		pport a municipal shellfish conservation
	23	program.	
	24	Sec. 2. 12 MRSA §6671, sub-§12 is ena	
	25	12. Intertidal mussel harvesting. Wi	
	26 27	commissioner may issue a permit to an individ	•
	27	authorizes the permit holder to fish for and take	
	28 29	municipality pursuant to subsection 3. The permits issued for a designated area to that	
	30	necessary to achieve the goals of the municipal	
	31	permit may specify limits on the amount of n	
	32	taken and gear usage and any other condition	
		the start ben sould und unit outer condition	in consistency with the

33 shellfish conservation program.

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COMMITTEE AMENDMENT " A " to S.P. 800, L.D. 2006

Sec. 3. 12 MRSA §6746, sub-§2, as amended by PL 2005, c. 434, §10, is further
amended to read:

2. Licensed activity. A boat license under this section may be used for dragging for mussels. The holder of a mussel boat license may also possess or transport mussels within the state limits or sell mussels the holder has taken to a wholesale seafood license holder certified under section 6856. The license also authorizes the captain and crew members aboard the licensed boat when engaged in dragging for mussels to undertake these activities. <u>A mussel boat license does not authorize the holder to fish for or take</u> <u>mussels in violation of a municipal ordinance adopted pursuant to section 6671.</u>'

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SUMMARY

11 This amendment replaces the bill and allows a municipality to specify areas of the intertidal zone in which the dragging of mussels may be limited to the degree necessary 12 to support the municipality's shellfish conservation program. It authorizes the 13 Commissioner of Marine Resources, with the advice of the affected municipality, to issue 14 a permit to a person holding a mussel boat license to harvest mussels from an area 15 designated by the municipality as a limited mussel dragging area. It provides that the 16 commissioner shall limit the number of these permits to achieve the goals of a 17 municipality's shellfish conservation program and may place other restrictions on the 18 19 permit necessary for consistency with the conservation program.

20	FISCAL NOTE REQUIRED	
21	(See attached)	

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COMMITTEE AMENDMENT



123rd MAINE LEGISLATURE

LD 2006

LR 3057(02)

An Act To Give Municipalities Control of Mussels Located in Intertidal Zones

Fiscal Note for Bill as Amended by Committee Amendment "A" Committee: Marine Resources Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Marine Resources can be absorbed within existing budgeted resources.