

# MAINE STATE LEGISLATURE

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PL018

L.D. 2129

Date: 3/10/8

(Filing No. H-727)

Majority

MARINE RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1508, L.D. 2129, Bill, "An Act To Make Clam Flat Status Notification More Efficient, Cost-effective and Economically Beneficial to the Shellfish Industry"

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

Sec. 1. 12 MRSA §6194 is enacted to read:

§6194. Shellfish area closure status notification

Notwithstanding Title 5, section 8053, the notification of rulemaking relating to the status of a shellfish area is not required to be published in a newspaper. The department shall place any information concerning the opening or closing of a shellfish area on the department's shellfish sanitation hotline and on the department's publicly accessible website.

Sec. 2. 12 MRSA §6191, sub-§1, as amended by PL 2003, c. 248, §4, is further amended to read:

1. Procedures. In adopting or amending any rule, except as provided in section 6194, the commissioner shall use the procedures required for rulemaking under the Maine Administrative Procedure Act, Title 5, chapter 375, and the additional requirements of this subchapter.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

MARINE RESOURCES, DEPARTMENT OF

Bureau of Resource Management 0027

Initiative: Recognition of cost savings due to the department's no longer having to publish the status of shellfish areas in a newspaper.

1002

COMMITTEE AMENDMENT "A" to H.P. 1508, L.D. 2129

1	<b>GENERAL FUND</b>	<b>2007-08</b>	<b>2008-09</b>
2	All Other	\$0	(\$20,000)
3			
4	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$20,000)</u>
5			

6 **SUMMARY**

7 This amendment is the majority report and replaces the bill. It removes the  
8 requirement that notification of rulemaking relating to the status of a shellfish area  
9 adopted by the Department of Marine Resources be published in a newspaper. Instead,  
10 the amendment requires the Department of Marine Resources to place any information  
11 concerning the opening or closing of a shellfish area on the department's shellfish  
12 sanitation hotline and on the department's publicly accessible website.

13 **FISCAL NOTE REQUIRED**  
14 (See attached)

**COMMITTEE AMENDMENT**



# 123rd MAINE LEGISLATURE

LD 2129

LR 3045(02)

## An Act To Make Clam Flat Status Notification More Efficient, Cost-effective and Economically Beneficial to the Shellfish Industry

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Marine Resources

Fiscal Note Required: Yes

### Fiscal Note

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
<b>Net Cost (Savings)</b>				
General Fund	\$0	(\$20,000)	(\$20,000)	(\$20,000)
<b>Appropriations/Allocations</b>				
General Fund	\$0	(\$20,000)	(\$20,000)	(\$20,000)

#### Fiscal Detail and Notes

The cost related to publishing notifications of the status of shellfish areas varies each year depending on how many shellfish areas are closed. Based upon historical data, it is estimated that the annual savings is approximately \$20,000 per year.