

MAINE STATE LEGISLATURE

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Date: 5/24/11

L.D. 348
(Filing No. H- 333)

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MARINE RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 274, L.D. 348, Bill, "An Act To Continue Limited Entry in the Scallop Fishery"

Amend the bill by inserting after section 1 the following:

Sec. 2. 12 MRSA §6706, sub-§3, as enacted by PL 2007, c. 607, Pt. A, §4, is amended to read:

3. Scallop license limited entry system. Notwithstanding subsection 2, the commissioner shall establish by rule a limited entry system under which a person who did not hold a hand fishing scallop license or a scallop dragging license in the previous calendar year may become eligible to obtain that license. The rules for a limited entry system must include provisions for the method and administration of the program. Rules adopted pursuant to this subsection are ~~routine-technical~~ major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Amend the bill by inserting after section 2 the following:

Sec. 3. Review. The Commissioner of Marine Resources shall review the composition of the Scallop Advisory Council under the Maine Revised Statutes, Title 12, section 6729-B. The commissioner shall compare the geographic representation of members of the Scallop Advisory Council to the geographic distribution of scallop hand fishing and scallop dragging license holders and determine whether council membership accurately represents the geographic distribution of license holders and recommend any changes necessary to ensure appropriate representation. The commissioner shall compare the number of licenses issued to scallop harvesters who hold hand fishing scallop licenses to the number of scallop harvesters who hold scallop dragging licenses, determine whether the number of members on the Scallop Advisory Council representing each type of license holder accurately represents the relative numbers of each type of license holder and recommend any changes necessary to ensure appropriate representation.

By December 7, 2011, the Commissioner of Marine Resources shall report to the Joint Standing Committee on Marine Resources on the commissioner's findings and recommendations and shall submit draft legislation necessary to implement the

COMMITTEE AMENDMENT

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2 commissioner's recommendations concerning the composition of the Scallop Advisory
3 Council. The Joint Standing Committee on Marine Resources may report out a bill on the
subject of the report to the Second Regular Session of the 125th Legislature.'

4 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
5 section number to read consecutively.

6 **SUMMARY**

7 This amendment adds to the provisions of the bill. It:

8 1. Changes rules from routine technical to major substantive for the scallop license
9 limited entry system;

10 2. Directs the Commissioner of Marine Resources to review the composition of the
11 Scallop Advisory Council to determine whether the number of members on the Scallop
12 Advisory Council representing each type of license holder accurately represents the
13 geographic distribution and relative numbers of each type of license holder, and to report
14 the findings to the Joint Standing Committee on Marine Resources by December 7, 2011
15 and recommend any changes necessary to ensure appropriate representation; and

16 3. Authorizes the Joint Standing Committee on Marine Resources to report out a bill
17 on the subject of the report to the Second Regular Session of the 125th Legislature.

FISCAL NOTE REQUIRED
(See attached)



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125th MAINE LEGISLATURE

LD 348

LR 365(02)

An Act To Continue Limited Entry in the Scallop Fishery

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 associated with reviewing the composition of the Scallop Advisory Council and reporting results can be absorbed with existing staff and within existing budgeted resources.