

MAINE STATE LEGISLATURE

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L.D. 1767

Date: 3-6-18

(Filing No. H-632)

MARINE RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1221, L.D. 1767, "Resolve, Regarding Legislative Review of Portions of Chapter 11.14: Atlantic Sea Scallop Limited Entry Program, a Major Substantive Rule of the Department of Marine Resources"

Amend the resolve by striking out all of section 1 and inserting the following:

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 11.14: Atlantic Sea Scallop Limited Entry Program, a provisionally adopted major substantive rule of the Department of Marine Resources that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following change is made:

1. The rule is amended in section 14, subsection 1, paragraph D to remove subparagraphs (2) and (3) and instead to provide a method for increasing the number of draws an applicant receives based on the applicant's unsuccessful attempts in the lottery in consecutive years immediately preceding the lottery in which the applicant has submitted a lottery application.'

SUMMARY

This amendment authorizes final adoption of portions of Chapter 11.14: Atlantic Sea Scallop Limited Entry Program, a provisionally adopted major substantive rule of the Department of Marine Resources, only if the rule is amended to remove the provisions providing additional draws in the scallop limited entry program lotteries for previous work in the scallop industry and for previously holding a scallop fishing license. Instead, the amendment directs the department to amend the rule to recognize an applicant's prior unsuccessful attempts in the lotteries.

**FISCAL NOTE REQUIRED
(See attached)**

COMMITTEE AMENDMENT



128th MAINE LEGISLATURE

LD 1767

LR 2809(02)

Resolve, Regarding Legislative Review of Portions of Chapter 11.14: Atlantic Sea Scallop Limited Entry Program, a Major Substantive Rule of the Department of Marine Resources

Fiscal Note for Bill as Amended by Committee Amendment *A (H-632)*
Committee: Marine Resources

Fiscal Note Required: Yes

Fiscal Note

Minor revenue increase - General Fund
Minor revenue increase - Other Special Revenue Funds
Minor cost increase - General Fund

Fiscal Detail and Notes

This bill would authorize the final adoption of Department of Marine Resources (DMR) rules related to the Atlantic Sea Scallop Limited Entry Program. Under the current rules, only individuals who held a license in the prior calendar year are eligible for a license renewal and no new individuals are allowed to be licensed. This relates to both commercial scallop drag licenses and commercial scallop diver licenses. The proposed rule changes would establish a lottery system to allow new individuals to enter the fishery. For commercial scallop drag licenses 2 license entries will be allowed for every 3 license exits. For commercial scallop diver licenses one license entry will be allowed for every one license exit. This will result in minor General Fund and Other Special Revenue Funds revenue increases. Any additional costs to DMR as a result of the final rule adoption are anticipated to be minor and can be absorbed within existing budgeted resources.