

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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. The commissioner may, in the case of an emergency as determined by the commissioner, advertise a change in the status of a shellfish area in the newspaper.

This section is repealed July 31, 2009.

**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. Report.** The Department of Marine Resources shall monitor the impact, including but not limited to complaints, of the changes made to the notification requirements under this Act and report its findings to the joint standing committee of the Legislature having jurisdiction over marine resources matters no later than January 5, 2009.

**Sec. 4. 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 not publishing the status of shellfish areas in a newspaper.

<b>GENERAL FUND</b>	<b>2007-08</b>	<b>2008-09</b>
All Other	\$0	(\$25,000)
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GENERAL FUND TOTAL	\$0	(\$25,000)

## **SUMMARY**

This amendment is the minority report and replaces the bill. It removes the requirement that rules relating to the status of shellfish areas adopted by the Department of Marine Resources be published in a newspaper. Instead, the amendment requires the Department of Marine Resources to 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. It gives the Commissioner of Marine Resources the option to publish changes to shellfish areas in the newspaper in cases of emergency. It also repeals the provision on July 31, 2009.

## **FISCAL NOTE REQUIRED**

**(See attached)**