

## **125th MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2011

**Legislative Document** 

No. 348

H.P. 274

House of Representatives, February 8, 2011

An Act To Continue Limited Entry in the Scallop Fishery

(EMERGENCY)

Submitted by the Department of Marine Resources pursuant to Joint Rule 204. Reference to the Committee on Marine Resources suggested and ordered printed.

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HEATHER J.R. PRIEST Clerk

Presented by Representative KRUGER of Thomaston. Cosponsored by Representatives: CHAPMAN of Brooksville, KUMIEGA of Deer Isle, OLSEN of Phippsburg, WEAVER of York.

- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- 3 **Whereas,** this legislation needs to take effect as soon as possible in order to clarify 4 who is eligible to obtain a license to take scallops; and
- 5 **Whereas,** in the judgment of the Legislature, these facts create an emergency within 6 the meaning of the Constitution of Maine and require the following legislation as 7 immediately necessary for the preservation of the public peace, health and safety; now, 8 therefore,
- 9 Be it enacted by the People of the State of Maine as follows:
- 10 Sec. 1. 12 MRSA §6706, sub-§2, as enacted by PL 2007, c. 607, Pt. A, §4, is 11 amended to read:
- License eligibility in subsequent years. Except as provided in subsection 3, the
  commissioner may not issue a hand fishing scallop license or a scallop dragging license
  to any person in any year subsequent to 2009 unless that person possessed that license in
  the previous calendar year or is eligible to obtain a license in accordance with the limited
  entry system established under subsection 3.
- Sec. 2. 12 MRSA §6706, sub-§4, as enacted by PL 2007, c. 607, Pt. A, §4, is
  repealed.
- 19 Emergency clause. In view of the emergency cited in the preamble, this
  20 legislation takes effect when approved.

**SUMMARY** 

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- This bill removes the provision of law that repeals the laws providing for limited entry into the scallop fishery and clarifies that a person who is eligible to obtain a license through the limited entry system may be issued a license by the Commissioner of Marine Resources.