

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

Amend the amendment by inserting after Part E the following:

## PART F

**Sec. F-1. 12 MRSA §6743**, as amended by PL 2003, c. 452, Pt. F, §21 and affected by Pt. X, §2 and c. 520, §9, is further amended to read:

### § 6743. Closed areas

**1. Mahogany quahogs from closed areas.** A person may not:

A. Fish for or take ~~quahogs, including~~ mahogany quahogs; from an area closed ~~by regulation pursuant to section 6172~~; or

B. Possess, ship, transport or sell ~~quahogs, including~~ mahogany quahogs; taken from an area closed ~~by regulation pursuant to section 6172~~.

**2. Washing or holding in closed areas.** A person may not:

A. Wash, hold or keep mahogany quahogs in an area closed ~~by regulation pursuant to section 6172~~; or

B. Possess, ship, transport or sell mahogany quahogs washed, held or kept in an area closed ~~by regulation pursuant to section 6172~~.

**3. Exception.** This section does not apply to the taking of mahogany quahogs under the authority of section 6856.

**Sec. F-2. 12 MRSA §6747, sub-§1**, as enacted by PL 2003, c. 452, Pt. F, §22 and affected by Pt. X, §2, is amended to read:

**1. Taking from closed areas.** A person may not:

A. Fish for or take mussels from an area closed ~~by regulation pursuant to section 6172~~; or

B. Possess, ship, transport or sell mussels taken from an area closed ~~by regulation pursuant to section 6172~~.

**Sec. F-3. 12 MRSA §6747, sub-§2**, as repealed and replaced by PL 2003, c. 452, Pt. F, §22 and affected by Pt. X, §2, is amended to read:

**2. Washing or holding in closed areas.** A person may not:

A. Wash, hold or keep mussels in an area closed ~~by regulation pursuant to section 6172~~; or

B. Possess, ship, transport or sell mussels washed, held or kept in an area closed by regulation pursuant to section 6172.'

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

## **SUMMARY**

Public Law 2011, chapter 527, which took effect on March 18, 2012, allows the Commissioner of Marine Resources to close contaminated areas to the harvesting of marine organisms through issuing text and map descriptions rather than through emergency rulemaking. Although the intent was to cover all clams, quahogs, oysters and mussels, the new closure process inadvertently omitted mahogany quahogs and mussels. This amendment provides that the new closure process applies to mahogany quahogs and mussels.