

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

Date: (Filing No. H- )

**MARINE RESOURCES**

Reproduced and distributed under the direction of the Clerk of the House.

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

COMMITTEE AMENDMENT “ ” 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**

1 commissioner’s recommendations concerning the composition of the Scallop Advisory  
2 Council. The Joint Standing Committee on Marine Resources may report out a bill on the  
3 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.