

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
109TH LEGISLATURE  
SECOND REGULAR SESSION

(Filing No. S-446)

SENATE AMENDMENT " A " to COMMITTEE AMENDMENT "A" to H.P. 1630, L.D. 1740, Bill, "AN ACT to Allow the Commissioner of Marine Resources to Exercise Limited Authority over the Conservation of Atlantic Salmon."

Amend the Amendment by striking out everything after the first 2 lines and inserting in its place the following:  
'AN ACT to Amend the Laws Relating to the State's Authority over the Conservation of Atlantic Salmon.

Further amend the Bill by striking out everything after the enacting clause and inserting in its place the following:

Sec. 1. 12 MRSA §6253, as enacted by PL 1977, c. 661, §5, is repealed and the following enacted in its place:

§6253. Conservation regulations

1. Conservation. The commission may adopt or amend regulations to conserve the Atlantic salmon, but not to regulate the taking of other fish for that purpose nor to require licenses for taking salmon. They shall be adopted or amended in the same manner and with the same limits as provided for the conservation of marine organisms under section 6171. The advice and consent of the advisory council shall not be required.

2. Effect and proof. The regulations of the commission have the same effect and may be proved in the same manner as regulations under section 6174. Either the Commissioner of Marine Resources or the Commissioner of Inland Fisheries and Wildlife may complete

the required certificate and statement.

Sec. 2. 12 MRSA §7035, sub-§1, first ¶, as last amended by PL 1979, c. 543, §3, is further amended by adding at the end the following new sentence:

This subsection grants no authority to adopt rules on the taking of Atlantic salmon.

Sec. 3. 12 MRSA §7603, as enacted by PL 1979, c. 420, §1, is amended to read:

§7603. Illegal fishing for Atlantic salmon

A person is guilty of illegal fishing for Atlantic salmon if he fishes for Atlantic sea run salmon in violation of the provisions of chapter 611 or section 7152.'

Statement of Fact

This amendment makes no change in the power of the Department of Marine Resources, which is not authorized to make regulations for the conservation of Atlantic salmon. The amendment does limit the Atlantic/<sup>Sea Run</sup> Salmon Commission's power by limiting it to regulating the taking of salmon and by prohibiting it from requiring licenses. This does not affect the statutory license provision for taking salmon in inland waters. In addition, this amendment limits the power of the Commissioner of Inland Fisheries and Wildlife to adopt regulations only on species other than salmon.

(Shute)  
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