

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

No. 1253

H.P. 828

House of Representatives, March 25, 2025

### **An Act to Authorize the Commissioner of Marine Resources to Add Limited-access Area Fishing Days During the Scallop Season**

(EMERGENCY)

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Reference to the Committee on Marine Resources suggested and ordered printed.

A handwritten signature in cursive script, reading "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative FAULKINGHAM of Winter Harbor.  
Cosponsored by Senator MOORE of Washington and  
Representatives: BISHOP of Bucksport, FOLEY of Wells, PARRY of Arundel, SIMMONS of  
Waldoboro, STROUT of Harrington, TUELL of East Machias, WHITE of Guilford.

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, the scallop season in Maine is closed for a majority of the year, typically open only in select zones and on specific days between December and April; and

**Whereas,** Maine residents' ability to harvest scallops has been challenged in recent years by extreme and dangerous weather, resulting in lost fishing days; and

**Whereas**, allowing the Commissioner of Marine Resources to add up to 5 limited-access area days during the scallop season could help counteract losses that have resulted from lost fishing days and aid scallop population management efforts; and

**Whereas**, it is necessary for this legislation to take effect before the scallop season ends; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 12 MRSA §6722-A is enacted to read:**

**§6722-A. Additional days during scallop season authorized**

The commissioner may establish by rule up to a total of 5 limited-access area days during the scallop season if the commissioner determines that additional days are necessary to counteract the inability to fish for scallops on certain days due to inclement weather or if the scallop population is sufficient to allow additional scallop fishing in those areas. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that the commissioner may adopt rules pursuant to Title 5, section 8054 on an emergency basis.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

## SUMMARY

This bill authorizes the Commissioner of Marine Resources to establish by rule up to 5 limited-access area days during the scallop season if the commissioner determines that additional days are necessary to counteract lost scallop fishing days due to inclement weather or if the scallop population is sufficient to allow additional scallop fishing in those areas.