

# MAINE STATE LEGISLATURE

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THE GOVERNORNO. SFY 82/83  
DATE February 10, 1983ORDER RELATING TO THE ESTABLISHMENT OF PROCEDURES  
FOR THE ADMINISTRATION OF THE FISHERY CONSERVATION & MANAGEMENT ACT

WHEREAS, Section 306, Subsection (C) of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1856) requires the Governor of the various states to regulate the operation of foreign fishing vessels engaged in fish processing in the internal waters of a State; and

WHEREAS, pursuant to this Act the owner or operator of the vessel must apply to the Governor for permission for the vessel to engage in fish processing; and

WHEREAS, the Governor may not grant permission for a foreign fishing vessel to engage in fish processing if he determines that fish processors within the State have adequate capacity, and will utilize such capacity, to process all the United States harvested fish from the fishery concerned that are landed in the State; and

WHEREAS, Ocean Canyon, Inc., a Maine Corporation, has requested permission to operate a foreign fish processing vessel in the internal waters of the State of Maine at Boothbay Harbor to process cod during the summer of 1983; and

WHEREAS, the information necessary to make appropriate determinations about the capacity of fish processors in Maine and how that capacity will be utilized in the processing of cod during the summer of 1983 as required by the Act is not readily available,

NOW, THEREFORE, I, JOSEPH E. BRENNAN, Governor of the State of Maine, do hereby order as follows:

1. The Commissioner of the Department of Marine Resources shall conduct one or more public hearings for the purpose of gathering information about the capacity and utilization of that capacity by Maine fish processors to process cod during the summer of 1983 and the effect of the introduction of a foreign fish processing vessel as requested on Maine processors;
2. The Commissioner of Marine Resources shall be responsible for collecting all relevant information pertaining to the requirements of the Act and shall prepare a recommendation to the Governor concerning the pending request.

  
JOSEPH E. BRENNAN  
Governor

FEB 14 1983