

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1111

H. P. 764

House of Representatives, February 23, 1967

Referred to Committee on Sea and Shore Fisheries. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Richardson of Stonington.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT to Restrict Purse Seining Near Certain Stop Seines.

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

Whereas, fishing is one of Maine's most valuable industries; and

Whereas, the conservation of fishing products is essential to the welfare of the people of Maine; 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:

R. S., T. 12, § 4208, additional. Title 12 of the Revised Statutes is amended by adding a new section 4208, to read as follows:

§ 4208. Purse seines not to be set near certain stop seines

It is unlawful to fish with, set or assist in setting any purse seine within 3,000 feet of any stop seine which at the time of the act complies with subsection 1.

1. Stop seine requirements. Any commercial fisherman using a stop seine who desires to take advantage of this section must comply with all the provisions of this subsection;

A. The stop seine he is using must include a net intended to be set across the mouth of a cove or arc of a beach,

B. The pocket used in conjunction with the seine must not be larger than 600 feet in circumference, and the four corners of that pocket must each have a floating keg anchored thereto which is marked with his current commercial fishing license number, which numbers must be at least one inch high, and

C. He must have a dory anchored within 100 feet of the kegs marking said pocket, except when said dory is actually engaged in the immediate area of the stop seine in fishing or in setting the net or gear for said stop seine.

2. **Measurement of 3,000-foot limit.** The 3,000-foot limit in which purse seining is prohibited shall be determined by measuring from the center of the off-shore side of the pocket used in conjunction with the stop seine as marked by said floating kegs.

3. **Exception.** The operator of said stop seine may use a purse seine inside said pocket to remove the fish caught.

4. **Penalty.** Whoever fishes with, sets or assists in setting any purse seine in violation of this section shall be punished by a fine of not less than \$500 nor more than \$2,500 for each offense, or by imprisonment for not more than 6 months.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.