

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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Legislative Document

No. 1645

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S. P. 540

In Senate, April 8, 1971

Referred to Committee on Fisheries and Wildlife. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Wyman of Washington.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT** Relating to the Size Limit on Herring.

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

**R. S., T. 12, § 3855, amended.** Section 3855 of Title 12 of the Revised Statutes as amended is further amended to read as follows:

**§ 3855. Size**

It is unlawful for any person, firm or corporation to take, ~~from the coastal waters of Maine~~ to sell, to offer for sale, to purchase, to process, to ship, to transport, or to have in possession herring which are less than  $\mp 4\frac{1}{2}$  inches long, overall length measured from one extreme to the other, except as provided in this section.

**1. Tolerance of 25%; how determined.** Any person, firm or corporation may take, sell, purchase, process, ship, transport or have possession of herring which are less than  $\mp 4\frac{1}{2}$  inches in length when they are mixed with herring of greater length, provided the herring of less than  $\mp 4\frac{1}{2}$  inches in length comprise less than 25% of the entire lot.

A. The tolerance of 25% is determined by volume of  $\frac{1}{2}$  bushel of herring for each 30 hogsheads of herring, or fraction thereof, taken at random from various parts of the lot.

**2. Exception for bait purposes.** Any person, firm or corporation may have possession of herring which are less than  $\mp 4\frac{1}{2}$  inches in length, provided the same are possessed for the purpose of bait for fishing.

**3. Commissioners to cooperate in enforcement.** The Commissioner of Sea and Shore Fisheries and the Commissioner of Agriculture shall cooperate in the enforcement of this section.

## STATEMENT OF FACT

The purpose of this bill is to strengthen the existing herring conservation law. This bill is also required in order to implement the United States - Canadian herring conservation agreements recently adopted.