

# MAINE STATE LEGISLATURE

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EMERGENCY

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 360

H. P. 286

House of Representatives, January 24, 1973

Referred to the Committee on Marine Resources. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Greenlaw of Stonington.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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**AN ACT** Relating to the Cultivation of Coho Salmon.

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

Whereas, the fishing industry of Maine and New England has been faced with serious problems of scarcity and high cost of fishing effort; and

Whereas, it has been deemed in the best interest of the State of Maine to encourage aquaculture enterprises in Maine's tidal waters; and

Whereas, certain persons, with the encouragement of the Department of Sea and Shore Fisheries, have undertaken to cultivate coho salmon, have provided seed stock for this species, have invested in equipment to enable the seed stock to grow in Maine's tidal waters, and have been successful in growing this stock to a commercially valuable size; and

Whereas, State law requiring a minimum size for coho salmon, if applicable to cultivated salmon, would make aquaculture of coho salmon economically unfeasible and would thus eliminate a potentially valuable industry from the State of Maine; and

Whereas, it was never legislative intent that the law relating to minimum size, manner taken, and number taken should apply to persons engaged in the growing and harvesting of coho salmon from their own seed stock; and

Whereas, no investment can be made in seed stock or equipment to cultivate coho salmon unless the cultivator is assured of being able to market his produce; and

Whereas, a decision must be made about continuing to feed present stock and to purchase new stock prior to 90 days after adjournment of the Legislature; 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. R. S., T. 12, § 3951-A, sub-§ 1, amended.** Subsection 1 of section 3951-A of Title 12 of the Revised Statutes, as enacted by chapter 484 of the public laws of 1971, is amended by adding a new paragraph A, to read as follows:

**A. Exception for cultivation.** It shall be lawful to possess, hold, take from the coastal waters of this State, and to dispose of the same, any coho salmon which were possessed, held and taken from the waters under a permit issued by the Commissioner of Sea and Shore Fisheries and disposed of under conditions stipulated by him in the permit.

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

#### STATEMENT OF FACT

The purpose of this bill is to allow for the cultivation of coho salmon and to dispose of the same under conditions as set forth by the Commissioner of Sea and Shore Fisheries.