

MAINE STATE LEGISLATURE

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(EMERGENCY)
New Draft of: H. P. 906, L. D. 1194

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1967

H. P. 1537

House of Representatives, May 24, 1973

Reported by Mr. LaCharite from the Committee on Marine Resources and printed under Joint Rules No. 18.

E. LOUISE LINCOLN, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Nets to Catch Shrimp.

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

Whereas, the northern shrimp fishery generates \$9,000,000 to the coastal economy annually in manufactured product value; and

Whereas, it is primarily a winter fishery and provides continued employment during a slack fishing period; and

Whereas, the fishing intensity on *Pandalus borealis* in the Gulf of Maine has greatly increased during the past few years; and

Whereas, research indicates that the older-year class of shrimp are seriously depleted, the oldest-year class being completely gone; therefore, we are in grave danger of destroying the fishery by overfishing the younger-year classes with present mesh size nets; and

Whereas, continued overfishing will destroy the reproductive ability and eliminate the ability of the stocks to recover from the heavy fishing pressure; and

Whereas, resource extends into the Gulf of Maine and provides viable fisheries for 3 states; and

Whereas, interim mesh size regulations must be established to protect small shrimp until investigations establish the optimum mesh size for the best conservation and management; 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, c. 417, sub-c. II, Article 5-A, additional. Subchapter II of chapter 417 of Title 12 of the Revised Statutes is amended by adding a new Article 5-A to read as follows:

ARTICLE 5-A. SHRIMPS

§ 4062. Netting

It is unlawful to fish for, take, transport or have in possession, any shrimp (Pandalidae) on board any boat rigged for otter trawling with any net with a mesh opening of less than $1\frac{3}{4}$ inches stretched mesh for the body and wings and $1\frac{1}{2}$ inches stretched mesh for the extension piece and cod end.

All netting used to catch shrimp shall be of one layer only, with the exception of the cod end. It shall be lawful to attach chaffing gear to $\frac{1}{2}$ of the circumference of the cod end.

1. Method of measurements. Mesh sizes are measured by a flat wedge-shaped gauge having a taper of 2 cm in 20 cm and a thickness of 2.3 mm, inserted into the meshes under a pressure or pull of 1.90 kg. The mesh size of a net shall be taken to be the average of the measurements of any series of 20 consecutive meshes, at least 10 meshes from the lacings, and when measured in the cod end of the net beginning at the after end and running parallel to the long axis.

2. Mesh size limited. It is unlawful for any vessel, equipped with any otter trawl, to have on board any net, or portions thereof, or netting with an opening less than $1\frac{1}{2}$ inches stretch mesh.

3. Exception, net or netting to be sealed by coastal warden. Any vessel equipped with an otter trawl, upon application and permission of the Department of Sea and Shore Fisheries, may transport or have on board, nets or netting of lesser mesh opening, after having said net or netting sealed by a coastal warden in such manner that such net cannot be fished without destruction of the seal.

4. Regulations in effect. This section shall be in effect until optimum mesh size is established by regulations of the Atlantic States Marine Fisheries Commission under sections 4613 and 4653 or the Commissioner of Sea and Shore Fisheries.

5. Penalty. Whoever violates any provision of this section shall be punished by a fine of not less than \$1,000 nor more than \$5,000, or by imprisonment for not less than 6 months, or by both.

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