

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-295)
109TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 321, L.D. 425, Bill,
"AN ACT to Require the Purse Seine Season in Washington
County to Close on September 15th."

Amend the Bill by striking out all of the title and
inserting in its place the following:

'AN ACT to Allow an Emergency Opening of the Purse Seine Season
in Washington County.'

Further amend the Bill by inserting before the enacting
clause the following:

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

Whereas, the herring industry is vitally important to the
economy of Washington County; and

Whereas, the closed season combined with an embargo
of Canadian imports of herring may have profound effects on
the herring processing industry in Washinton County; and

Whereas, the problem may be avoided this year without
detriment to herring stocks or other fishing activities by
allowing the Commissioner of Marine Resources to establish
limited purse seining during the closed season; 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,'

Further amend the Bill by striking out everything after the enacting clause and inserting in its place the following:

'12 MRSA §6571, sub-§2, as amended by PL 1977, c. 713, §6, is further amended by inserting at the end the following: The commissioner may by regulation allow the use of purse seines during this period in specific areas and with specific conditions or limitations, if he finds that the use is necessary to provide fish to processors, that it will not create undue hardships to fixed gear fishermen in the area and that it will not unduly deplete the recruitment capacity of the stocks. These regulations may be adopted or amended as emergencies under section 6192.

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

Statement of Fact

This amendment deletes the bill provision for a shorter closed season and provides an emergency preamble and clause. The bill also requires the commissioner to consider stock recruitment prior to opening an area. The regulations may be adopted as emergency regulations.