

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1120

H. P. 912

House of Representatives, March 9, 1979

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

EDWIN H. PERT, Clerk

Presented by Mrs. Post of Owl's Head.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

**AN ACT Concerning the Adoption of Management Plans by the Commissioner of
Marine Resources.**

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

Sec. 1. 12 MRSA § 6171, sub-§ 2, as enacted by PL 1977, c. 661, § 5, is repealed and the following enacted in its place:

2. Management plans and regulations

A. Prior to adopting plans and regulations to limit the taking of marine organisms, the commissioner may adopt a management plan for those organisms. A management plan shall be adopted as a regulation, with the advice and consent of the advisory council. A management plan may contain:

(1) A description of the fishery, including the number of vessels involved, the type and quantity of fishing gear used, the species of organisms and their location, the potential management costs, the actual or potential revenues from the fishery, any recreational interests in the fishery and the nature and extent of fishing by residents of other states or countries;

(2) An assessment of the present and probable future condition of the fishery, a statement of the maximum sustainable yield and optimum yield from the fishery and a summary of information used in making these determinations;

(3) A review of regional, federal or international management measures that affect the marine organisms or the fishery; or

(4) A statement of the proposed regulations or measures necessary to promote the conservation and propagation of the marine organisms.

B. A regulation authorized under this section may only limit the taking of marine organisms by one or more of the following:

(1) Time;

(2) Method;

(3) Number;

(4) Weight;

(5) Length; or

(6) Location.

C. This section grants no authority to adopt management plans or regulations for the conservation of Atlantic salmon.

Sec. 2. 12 MRSA § 6171, sub-§ 4, as enacted by PL 1977, c. 661, § 5, is amended to read:

4. Procedure. The procedures of subchapter II shall be used in adopting or amending **management plans or regulations** authorized by this section.

STATEMENT OF FACT

The purpose of this bill is to allow the adoption of management plans prior to adopting marine resources conservation regulations. If management plans are adopted they must be approved by the advisory council.