

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-809)
109TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "B" to H.P. 1630, L.D. 1740, Bill,
"AN ACT to Allow the Commissioner of Marine Resources to
Exercise Limited Authority over the Conservation of At-
lantic Salmon."

Amend the bill by striking out everything after the
enacting clause and inserting in its place the following:

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enacted by PL 1977, c. 661, §5, is repealed and the following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

This section grants no authority granted to the Atlantic
Sea Run
Salmon/Commission under section 6253.

Sec. 2. 12 MRSA §6253, as enacted by PL 1977, c. 661,
§5, is repealed and the following enacted in its place:
§6253. Conservation regulations

1. Regulations. The commission may adopt or amend reg-
ulations to conserve the Atlantic salmon, but not to regulate
the taking of other fish for that purpose. These regulations
shall be adopted in the same manner and with the same limits
as provided for the conservation of marine organisms under
section 6171. The advice and consent of the advisory council
shall not be required.

2. Sole authority. Only the commission may adopt or
amend regulations to conserve the Atlantic salmon, with the
following exceptions:

A. In inland waters, the commissioner

of Inland Fisheries and Wildlife may regulate the taking of any/other fish to conserve Atlantic salmon; and

B. In coastal waters, the commissioner of Marine Resources may regulate the taking of any other marine organism to conserve Atlantic salmon.

3. Limit or jurisdiction. The commission may not adopt or amend a regulation based on a condition which is within the jurisdiction of the Board of Environmental Protection under Title 38.

4. Effect and proof of regulations. The regulations of the commission have the same effect and may be proved in the same manner as regulations of the Commissioner of Marine Resources under section 6174. Either the Commissioner of Marine Resources or the Commissioner of Inland Fisheries and Wildlife may complete the required certificate and statement.

Sec. 3. 12 MRSA §7603, as enacted by PL 1979, c. 420, §1, is amended to read:

§7603. Illegal fishing for Atlantic salmon

A person is guilty of illegal fishing for Atlantic salmon if he fishes for Atlantic sea run salmon in violation of the provisions of chapter 611 or section 7152.'

Statement of Fact

The purpose of this amendment is to clarify the regulatory power of the Atlantic/Salmon Commission and establish clear jurisdictional limits between the Departments of / Marine Re-

sources and Inland Fisheries and Wildlife and the Atlantic
Sea Run Salmon Commission.

Filed by Mr. Fowlie of Rockland
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