

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1415

H. P. 1191

House of Representatives, March 19, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Post of Owl's Head.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Prevent Gear Conflicts.

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

12 MRSA § 6171-A is enacted to read:

§ 6171-A. Prevention of gear conflicts

1. Commissioner's powers. The commissioner may investigate conditions affecting conflicts among harvesters of marine organisms and, with the advice and consent of the advisory council, may adopt or amend regulations he deems necessary to prevent gear conflicts and promote the optimum development of marine organisms.

2. Considerations. In adopting rules to prevent gear conflicts, the commissioner shall consider:

- A. Traditional uses of the marine organisms;**
- B. Total economic benefits to harvesters of the organisms; and**
- C. Optimum economic and biological management of marine resources.**

3. Emergency regulations. The commissioner may adopt or amend regulations without hearing or notice if he determines that this is necessary to prevent serious economic dislocation to a harvester of marine resources.

Emergency regulations under this section shall be in effect for no more than 90 days and may be repealed by the advisory council.

4. Procedure. The procedures of subchapter II shall be used in adopting or amending regulations, except emergency regulations, authorized by this section.

STATEMENT OF FACT

This bill authorizes the Commissioner of Marine Resources to adopt regulations to prevent gear conflicts.