

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 37

6  
7 H.P. 32

House of Representatives, January 5, 1983

8 Reference to the Committee on Marine Resources suggested and ordered  
9 printed pursuant to Joint Rule 24.

10 EDWIN H. PERT, Clerk

Presented by Representative Crowley of Stockton Springs.

Cosponsors: Representative Vose of Eastport, Representative Melendy of  
11 Rockland and Senator Shute of Waldo.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
16

17 AN ACT Concerning Confidentiality of  
18 Fisheries Statistics.  
19

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

22 12 MRSA §6173, as enacted by PL 1977, c. 661, §5,  
23 is repealed and the following enacted in its place:

24 §6173 Confidentiality of statistics

25 The commissioner may, with the advice and consent  
26 of the advisory council, adopt or amend regulations  
27 to collect pertinent data with respect to the fish-  
28 eries, including, but not limited to, information  
29 regarding the type and quantity of fishing gear used,  
30 catch by species in numbers of fish or weight  
31 thereof, areas in which fishing was conducted, time  
32 of fishing, number of hauls and the estimated pro-  
33 cessing capacity of, and the actual processing capac-

1 ity utilized by United States fish processors. The  
2 commissioner may collect statistics from any source  
3 and may require reporting of these statistics. The  
4 information collected by or reported to the commis-  
5 sioner shall be confidential and shall not be dis-  
6 closed in a manner or form that permits identifi-  
7 cation of any person or vessel, except when required  
8 by court order. The commissioner shall by regulation  
9 prescribe such procedures as necessary to preserve  
10 confidentiality.

11 STATEMENT OF FACT

12 The former confidentiality provisions concerning  
13 fisheries statistics have been revised to more  
14 closely parallel federal provisions. Similarity of  
15 federal and state provisions is important in order to  
16 maximize federal and state cooperation in collection,  
17 compilation and analysis of regional fisheries sta-  
18 tistics. The intent of this bill is to grant the  
19 Commissioner of Marine Resources powers to collect,  
20 require reporting and protect the confidentiality of  
21 fisheries statistics, which are at least equal to  
22 those of federal fisheries authorities. The new  
23 legislation no longer prohibits the commissioner from  
24 maintaining fisheries statistics in unaggregated  
25 form, as scientific analysis may require long-term  
26 storage of unaggregated data. This new provision  
27 will not present any greater threat to the confiden-  
28 tiality of industry statistics, in that the  
29 unaggregated data is still protected from disclosure,  
30 except pursuant to court order.

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