

MAINE STATE LEGISLATURE

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1 (EMERGENCY)

2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND ELEVENTH LEGISLATURE
5

6 Legislative Document

No. 1212

7
8 S.P. 399

In Senate, March 16, 1983

9 Submitted by the Department of Marine Resources pursuant to Joint Rule
10 24.

11 Referred to the Committee on Marine Resources, sent down for
concurrence and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Brown of Washington.

12 Cosponsor: Representative Vose of Eastport.

13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-THREE
17

18 RESOLVE, Authorizing the Atlantic Sea
19 Run Salmon Commission to Convey Salmon Smolt
20 to Ocean Products, Inc.
21

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

26 Whereas, Ocean Products, Inc., proposes to estab-
27 lish a major industry in economically depressed Wash-
28 ington County, but needs salmon smolt by May, 1983,
29 in order to commence pen-culture of salmon in Wash-
30 ington County waters; and

31 Whereas, the State of Maine, in cooperation with
32 the United States Department of Interior, Fish and
33 Wildlife Services, annually conducts salmon restora-
34 tion programs which involve production of salmon
35 smolt; and

1 Whereas, conveyance of salmon smolt raised
2 jointly by the State of Maine and the United States
3 Department of Interior, Fish and Wildlife Services to
4 Ocean Products, Inc., in return for future in-kind
5 repayment of equal numbers of smolt, would not cause
6 any long-term disruption of salmon restoration in
7 Maine rivers; and

8 Whereas, in the judgment of the Legislature,
9 these facts create an emergency within the meaning of
10 the Constitution of Maine and require the following
11 legislation as immediately necessary for the preser-
12 vation of the public peace, health and safety; now,
13 therefore, be it

14 Atlantic Sea Run Salmon Commission; authorized to
15 convey salmon smolt. Resolved: That the Atlantic
16 Sea Run Salmon Commission is authorized to convey
17 100,000 salmon smolt to Ocean Products, Inc., of
18 Washington County, Maine, for use in private
19 pen-culture operations in Washington County waters.
20 Atlantic Sea Run Salmon Commission may convey 100,000
21 smolt to Ocean Products, Inc., only upon the follow-
22 ing conditions.

23 1. Atlantic Sea Run Salmon Commission must
24 receive the consent of the United States Department
25 of Interior, Fish and Wildlife Service to conveyance
26 of salmon smolt raised in federal hatcheries to Ocean
27 Products, Inc., according to the conditions of this
28 resolve.

29 2. Ocean Products, Inc., shall, within 5 years,
30 convey back to the Atlantic Sea Run Salmon Commission
31 100,000 smolt of equivalent quality to those received
32 in 1983 to be used by the Atlantic Sea Run Salmon
33 Commission for restoration and enhancement of salmon
34 runs in Maine rivers.

35 **Emergency clause.** In view of the emergency
36 cited in the preamble, this Act shall take effect
37 when approved.

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STATEMENT OF FACT

2 This resolve authorizes the Atlantic Sea Run
3 Salmon Commission to convey 100,000 salmon smolt to
4 Ocean Products, Inc., for use in private pen-culture
5 operations in Washington County upon 2 conditions:
6 First, that the United States Department of Interior,
7 Fish and Wildlife Services consent to use of smolt
8 raised under joint federal-state programs for this
9 purpose and, 2nd, that Ocean Products, Inc., convey
10 back to the State of Maine 100,000 smolts within 5
11 years.

12 As explained in the emergency preamble, Ocean
13 Products, Inc., must receive these salmon smolt by
14 May, 1983, in order to commence pen-culture opera-
15 tions in Passamaquoddy Bay and surrounding waters in
16 Washington County. In order to encourage economic
17 development opportunities for residents of the eco-
18 nomically depressed Washington County area, this
19 resolve is in emergency form. The terms of the
20 resolve ensure maximum economic development oppor-
21 tunities, while ensuring that all current terms of
22 state-federal agreements are fulfilled.

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