

# MAINE STATE LEGISLATURE

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1 (EMERGENCY)  
2 FIRST REGULAR SESSION  
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4 ONE HUNDRED AND TWELFTH LEGISLATURE  
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6 Legislative Document

No. 877

7  
8 H.P. 607

House of Representatives, February 28, 1985

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

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

EDWIN H. PERT, Clerk

Presented by Representative Crowley of Stockton Springs.

12 Cosponsored by Senator Chalmers of Knox, Representative Ruhlin of  
Brewer and Senator Shute of Waldo.

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13 STATE OF MAINE  
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15 IN THE YEAR OF OUR LORD  
16 NINETEEN HUNDRED AND EIGHTY-FIVE  
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18 AN ACT to Clarify Certain Errors and  
19 Inconsistencies in Marine Resources  
20 Laws.  
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22 Emergency preamble. Whereas, Acts of the Legis-  
23 lature do not become effective until 90 days after  
24 adjournment unless enacted as emergencies; and

25 Whereas, ambiguities exist in the marine re-  
26 sources laws; and

27 Whereas, these ambiguities create uncertainties  
28 and confusion in interpreting legislative intent; and

29 Whereas, it is vitally necessary that these un-  
30 certainties and confusion be resolved in order to  
31 prevent any injustice to the citizens of Maine; and

32 Whereas, in the judgment of the Legislature,  
33 these facts create an emergency within the meaning of

1 the Constitution of Maine and require the following  
2 legislation as immediately necessary for the preser-  
3 vation of the public peace, health and safety; now,  
4 therefore,

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

7       Sec. 1. 12 MRSA §6255, sub-§12 is enacted to  
8 read:

9       12. Fishing in inland waters. When fishing in  
10 inland waters, the holder of a license authorized un-  
11 der this section shall be subject to all the provi-  
12 sions of chapters 701 to 721.

13       Sec. 2. 12 MRSA §6439, sub-§3, as repealed and  
14 replaced by PL 1981, c. 433, §10, is amended to read:

15       3. Off Hancock County. Within the following ra-  
16 dio direction-finder LORAN C bearings: Beginning at  
17 Schoodic Point, Hancock County; thence running a True  
18 compass course of 159° for approximately 17 miles to  
19 LORAN C bearing of ~~9960-W-1234.9~~ 9960-W-1239.0 and  
20 9960-X-25693.0; thence running along a True compass  
21 course of 236° for approximately 11 1/4 miles, to and  
22 through Mt. Desert Rock to LORAN C bearing of  
23 ~~9960-W-12456.0~~ and ~~9960-X-25695~~ 9960-X-25695.0;  
24 thence running in a True compass course of 336° for  
25 approximately 4 1/2 miles to LORAN C bearing of  
26 ~~9960-W-12440~~ 9960-W-12440.0 and 9960-X-25718.0;  
27 thence running in a westerly direction to a point  
28 where that line intersects with the line described in  
29 subsection 2, paragraph B, if it is extended to that  
30 line.

31       Sec. 3. 32 MRSA §4159, sub-§1, as amended by PL  
32 1975, c. 44, §2, is repealed.

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

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# STATEMENT OF FACT

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Section 1 clarifies the law concerning Atlantic salmon fishing in inland waters. This section established that an Atlantic salmon fisherman, licensed by the Atlantic Sea Run Salmon Commission, is subject to all the laws, rules and legislations of the Department of Inland Fisheries and Wildlife when fishing in waters under the jurisdiction of that department.

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Section 2 corrects LORAN bearings pertaining to the use of lobster trawls off Hancock County.

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Section 3 repeals the tolerance for use of herring between 4 1/2 and 9 inches. Since the law allowing for the use of herring greater than 9 inches in length was repealed in 1983, no tolerance is required.

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