

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1340

H.P. 962

House of Representatives, April 25, 1989

Reference to the Committee on Fisheries and Wildlife suggested and ordered printed.

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative DEXTER of Kingfield.

Cosponsored by Representative RIDLEY of Shapleigh and Representative LORD of Waterboro.

STATE OF MAINE

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

An Act to Provide for Public Input and Comment Prior to the
Adoption of Fishery Restoration and Management Plans.



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

3 **12 MRSA §7015-A** is enacted to read:

5 **§7015-A. Fishery restoration and management plans**

7 Prior to the adoption of any proposed fishery restoration or
9 management plans for any waters of the State designated Class C
11 pursuant to Title 38, sections 467 and 468, the Commissioner of
13 Inland Fisheries and Wildlife shall provide public notice of the
15 proposal and the opportunity to request a public hearing on the
17 proposal. Individual notice shall be given to any industry or
19 municipality discharging into the affected waters. Any public
21 hearing requested under this section shall be held in accordance
23 with the Maine Administrative Procedure Act, Title 5, chapter
25 375, subchapter II. No plan shall be implemented unless the
27 commissioner determines that the benefits outweigh the costs
29 imposed by the plan.

31 **STATEMENT OF FACT**

33 The purpose of this bill is to assure public notice and
input via the Maine Revised Statutes, Maine Administrative
Procedure Act, Title 5, chapter 375, prior to the adoption of
fishery restoration or management plans for Class C waters
including those rivers receiving substantial industrial and
municipal waste water discharges. Abrupt changes in species for
which the river is managed can impose a serious hardship on these
facilities which, at present, are allowed no input into fisheries
management plans by the Department of Inland Fisheries and
Wildlife.