

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2015

S.P. 816

In Senate, January 8, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Marine Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator VOSE of Washington

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-TWO

An Act Authorizing the Establishment of Fisheries Management Zones.

(EMERGENCY)



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

Whereas, establishment of coastal fisheries management zones by July 1st is essential for the effective management of coastal fisheries; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §6001, sub-§5-A is enacted to read:

5-A. Coastal fisheries management zone. "Coastal fisheries management zone" or "zones" means an area of coastal waters defined by the commissioner in rules adopted under section 6004.

Sec. 2. 12 MRSA §6004 is enacted to read:

§6004. Coastal fisheries management zones

The commissioner shall establish by rule at least 3 but not more than 5 coastal fisheries management zones for the purpose of coordinating the management and taking of marine organisms and freshwater fish species in coastal waters. Zones must be designated by number and after July 1, 1992 the commissioner shall ensure that any notice, publication or advertisement of any department rule-making activity identifies the number of the zone or zones affected by that rule-making activity.

Sec. 3. Rulemaking. No later than July 1, 1992, the Commissioner of Marine Resources shall adopt rules in accordance with the Maine Administrative Procedure Act establishing the boundaries of the coastal fisheries management zones pursuant to the Maine Revised Statutes, Title 12, section 6004. Zones established under this Act must, to the fullest extent possible, encompass coastal waters with similar fisheries activities or similar management or enforcement requirements.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

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STATEMENT OF FACT

4 This bill requires the Commissioner of Marine Resources to
6 adopt rules by July 1, 1992 that establish coastal fisheries
8 zones and to ensure that all subsequent notices, publications or
 advertisements of department rule-making activity identify the
 zones affected by that rule-making activity.