

L.D. 1918

DATE: 3/30/94

б

8

10

12

14

16

18

20

22

24

26

28

30

(Filing No. H-1010)

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE HOUSE OF REPRESENTATIVES 116TH LEGISLATURE SECOND REGULAR SESSION

HOUSE AMENDMENT "H" to COMMITTEE AMENDMENT "A" to S.P. 710, L.D. 1918, Bill, "An Act to Prohibit the Use of Gill Nets in the Kennebec and Androscoggin Rivers"

Amend the amendment by striking out everything after the title and before the statement of fact and inserting in its place the following:

'Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

'Sec. 1. 12 MRSA §6553-B is enacted to read:

§6553-B. Fixed gill nets; limited prohibition

A person may not use a gill net that is fixed or anchored to the bottom or shore in any tidal waters of the Kennebec River or 32 the Androscoggin River or their tidal tributaries, including those tidal waters of Phippsburg, West Bath, Bath, Bowdoinham, 34 Topsham, Dresden, Woolwich, Arrowsic and Georgetown that are 36 connected to the Kennebec River upstream from Fort Popham, unless that fixed gill net is tended continuously, hauled back and 38 emptied at least once every 2 hours and is affixed with a floating marker that includes the name and address of the owner 40 of the net. Notwithstanding section 6204, a violation of this section is a civil violation for which a forfeiture of not more 42 than \$500 may be adjudged.

44

This section is repealed July 1, 1996.

Page 1-LR3233(5)

HOUSE AMENDMENT

HOUSE AMENDMENT """ to COMMITTEE AMENDMENT "A" to S.P. 710, L.D. 1918

Sec. 2. Monitoring and report. To the extent that resources are available, the Department of Marine Resources shall cooperate with the Maine Chapter of the New England Coast Conservation Association, anglers and others engaged in recreational striped bass fishing on the tidal waters of the Kennebec River and the Androscoggin River to develop a program to record the catches of striped bass in those waters. The program may utilize "catch and release" sampling methods to assist with any efforts to determine the striped bass population in those waters. The Commissioner of Marine Resources, the New England Coast Conservation Association, anglers and others involved in the data collection efforts shall report their results to the joint standing committee of the Legislature having jurisdiction over marine resource matters by December 1, 1996.'

16 Further amend the bill in the emergency clause in the last line (page 2, line 16 in L.D.) by striking out the following: 18 "April 1, 1994" and inserting in its place the following: 'when approved'

Further amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

26 The additional workload and administrative costs associated with the minimal number of new cases filed in the court system 28 can be absorbed within the budgeted resources of the Judicial Department. The collection of additional fines may increase 30 General Fund revenue by minor amounts.

32 The additional enforcement costs can be absorbed by the Department of Marine Resources utilizing existing budgeted 34 resources.

36 The Department of Marine Resources may incur some minor additional costs to participate in a fish monitoring effort and 38 to report on the results to the Legislature. These costs can be absorbed within the department's existing budgeted resources.' '

· STATEMENT OF FACT

44

46

40

42

2

4

6

8

10

12

14

20

24

The amendment replaces the committee amendment but incorporates all its provisions and all provisions included in Senate Amendment "A". The amendment adds new language that allows the use of fixed gill nets in the tidal waters of the

Page 2-LR3233(5)

HOUSE AMENDMENT "" to COMMITTEE AMENDMENT "A" to S.P. 710, L.D. 1918

Kennebec and Androscoggin Rivers if those fixed gill nets are continuously tended and are hauled out and emptied every 2 hours.

SPONSORED BY: (Representative COLES)

TOWN: Harpswell

12

10

2

4

б

8

Page 3-LR3233(5)

HOUSE AMENDMENT