

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 719

S.P. 268

In Senate, March 2, 1995

**An Act to Change the Restricted Area around Aquaculture Pens from
500 to 300 Feet.**

Reference to the Committee on Marine Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator CASSIDY of Washington.
Cosponsored by Senators: HALL of Piscataquis, HATHAWAY of York, LORD of York,
MICHAUD of Penobscot, Representatives: CAMPBELL of Holden, KNEELAND of Easton,
LAYTON of Cherryfield, PINKHAM of Lamoine, SPEAR of Nobleboro.

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

4 **Sec. 1. 12 MRSA §6957**, as enacted by PL 1993, c. 723, §1, is
repealed and the following enacted in its place:

6 **§6957. Fishing near floating equipment**

8 **1. Prohibition.** A person may not harvest, fish for or take
10 any marine organism in any manner, including, but not limited to,
12 the operation of a vessel using drags, otter trawls, pair trawls,
14 beam trawls, scottish seines or midwater trawls to fish for or
16 take finfish, shellfish, sea urchins or any other marine
18 organisms within 300 feet of a suspended culture floating cage,
20 tray rack or other floating equipment authorized in a lease
22 issued by the commissioner under section 6072. This section may
not be construed to prohibit the owner of aquaculture equipment
specified in this subsection or the owner's designee from
harvesting an aquacultural crop. The owner of a suspended
culture floating cage, tray rack or other floating equipment, or
the owner's designee, must mark the area in which a vessel is
prohibited with at least 4 anchors, each marked by a yellow buoy
at least 2 feet in diameter.

24 **2. Penalty.** A person who harvests, fishes for or takes any
26 marine organism or who operates or causes to be operated a vessel
28 in violation of this section commits a Class D crime, except
30 that, notwithstanding Title 17-A, section 1301, the penalty for a
32 first offense is a minimum fine of \$1,000 that may not be
suspended and the penalty for a 2nd offense is a minimum fine of
\$1,000 that may not be suspended and a 5-year suspension of the
defendant's fishing or harvesting license.

34 **STATEMENT OF FACT**

36 This bill prohibits all harvesting within 300 feet of
aquaculture equipment and requires the owner of aquaculture
38 equipment to mark the restricted area with buoys.