

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1210

S.P. 443

In Senate, April 5, 1995

An Act to Protect Near-shore Groundfish Spawning Areas.

(EMERGENCY)

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 HARRIMAN of Cumberland.

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

4 **Whereas,** certain areas of the State's coastal waters may be
6 spawning areas for cod, haddock and yellowtail flounder; and

8 **Whereas,** populations of those groundfish species are
severely depleted in the waters of the Gulf of Maine and the
10 Georges Banks; and

12 **Whereas,** it is in the interest of commercial and
recreational harvesters of marine organisms to conserve and
14 enhance these populations using all reasonable means; and

16 **Whereas,** the concentration of these species in one location
during spawning make them particularly vulnerable to harvesting
18 activities during the spawning season; and

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

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

28 **Sec. 1. 12 MRSA, c. 621, sub-c. II, Art. 1-B** is enacted to read:

30 ARTICLE 1-B

32 Coastal Groundfish Spawning Areas

34 §6537. Emergency closures of certain spawning areas

36 No later than January 1, 1996, the commissioner shall adopt
38 rules that identify the location of all coastal waters that serve
as a spawning area for cod, haddock or yellowtail flounder and
40 the dates during which those spawning activities occur in each
area. Notwithstanding any other provision of this Part, a person
42 may not engage in the commercial harvesting of any marine
organism during the dates and in the locations identified by the
44 commissioner in rules adopted under this section.

46 **Sec. 2. Identification of spawning areas.** In determining the
coastal spawning areas for cod, haddock and yellowtail flounder
pursuant to the Maine Revised Statutes, Title 12, section 6537,
48 the Commissioner of Marine Resources shall solicit information on
the

2 State's historic coastal groundfish spawning areas from persons
that participate in, or are otherwise knowledgeable about,
commercial and recreational coastal marine fisheries.

4

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

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STATEMENT OF FACT

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12 This bill requires that the Commissioner of Marine Resources
adopt rules by January 1, 1996 that identify the time and
14 location of cod, haddock and yellowtail flounder spawning in
coastal waters. The bill then prohibits all commercial
16 harvesting of marine organisms in those spawning areas during the
period those species are spawning.