MAINE STATE LEGISLATURE

The following document is provided by the

LAW AND LEGISLATIVE DIGITAL LIBRARY

at the Maine State Law and Legislative Reference Library

http://legislature.maine.gov/lawlib



Reproduced from scanned originals with text recognition applied (searchable text may contain some errors and/or omissions)

	1	\sim
(V	Sy.	G.

2	DATE: $3 26 97$ (Filing No. S- (08))
4	DATE: 5/20/ (1 (FIIIIII NO. 3-06)
6	MARINE RESOURCES
8	Reported by: Majority
10	Reproduced and distributed under the direction of the Secretary of the Senate.
12	STATE OF MAINE
14	SENATE 118TH LEGISLATURE
16	FIRST REGULAR SESSION
18	· · · · · · · · · · · · · · · · · · ·
20	COMMITTEE AMENDMENT " \bigwedge " to S.P. 171, L.D. 500, Bill, "An Act to Protect Near-shore Groundfish Spawning Areas"
2,2	Amend the bill by striking out all of the emergency
24	preamble, sections 1 and 2 and the emergency clause (page 1, lines 1 to 49 and page 2, lines 1 to 17 in L.D.) and inserting
26	their place the following:
20	'Sec. 1. 12 MRSA §6572 is enacted to read:
28	Restance to the second state of the second sta
30	\$6572. Identification of groundfish spawning areas
	1. Spawning areas for certain species. By January 1, 1998,
32	the commissioner shall by rule identify the location of all coastal waters that serve as spawning areas for cod, haddock or
34	yellowtail flounder and the dates during which those spawning
2.6	activities occur in each area. In determining the coastal
36	spawning areas for cod, haddock and yellowtail flounder, the commissioner shall solicit information on the State's historic
38	coastal groundfish spawning areas from persons who participate
30	in, or are otherwise knowledgeable about, commercial and
40	recreational coastal marine fisheries. Rules adopted under this subsection are routine technical rules pursuant to Title 5,
42	chapter 375, subchapter II-A.
44	2. Report. The commissioner shall by March 15, 2003 report
46	to the joint standing committee of the Legislature having jurisdiction over marine resources matters on areas identified as
4.8	spawning areas for cod, haddock or yellowtail flounder and any

Page 1-LR0463(2)

COMMITTEE AMENDMENT "A" to S.P. 171, L.D. 500

2	3. Repeal of authority. After June 30, 2003, the
	commissioner may not designate spawning areas for cod, haddock or
4	yellowtail flounder.'
6	Further amend the bill by inserting at the end before the
8	summary the following:
10	FISCAL NOTE
12	The Department of Marine Resources will incur some minor additional costs to adopt certain rules pertaining to groundfish
14	spawning areas and to submit a required report to the Legislature. These costs can be absorbed within the department's
16	existing budgeted resources.
18	This bill may increase prosecutions for Class D crimes. If a jail sentence is imposed, the additional costs to the counties
20	are estimated to be \$83.78 per day per prisoner. These costs are not reimbursed by the State. The number of prosecutions that may
22	result in a jail sentence and the resulting costs to the county jail system are expected to be insignificant.
24	The additional workload, administrative costs and indigent
26	defense costs associated with the minimal number of new cases filed in the court system can be absorbed within the budgeted
28	resources of the Judicial Department. The collection of additional fines may also increase General Fund revenue by minor
30	amounts.'
32	SUMMARY
34	The amendment requires the Commissioner of Marine Resources to identify by January 1, 1998 the location of all coastal waters
3,6	that serve as spawning areas for cod, haddock or yellowtail flounder and the dates during which those spawning activities
38	occur in each area. It also requires the commissioner to report by March 15, 2003 on areas identified as spawning areas for cod,
40	haddock or yellowtail flounder and any actions taken by the commissioner regarding those spawning areas. It also repeals as
42	of July 1, 2003 authority for the commissioner to identify

Page 2-LR0463(2)

spawning areas for cod, haddock or yellowtail flounder.

amendment also removes the emergency preamble and clause.

44

COMMITTEE AMENDMENT