

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 676

H.P. 521

House of Representatives, February 13, 2001

An Act Relating to Research Activities of the Commissioner of Marine Resources.

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative DUGAY of Cherryfield.
Cosponsored by Senator SHOREY of Washington and
Representatives: BUNKER of Kossuth Township, GOODWIN of Pembroke, KOFFMAN of
Bar Harbor, PINKHAM of Lamoine, POVICH of Ellsworth, USHER of Westbrook,
WHEELER of Eliot, Senator: LEMONT of York.

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

4 **Sec. 1. 12 MRSA c. 619, sub-c. VI is enacted to read:**

6 **SUBCHAPTER VI**

8 **RESEARCH ACTIVITIES**

10 **§6491. Research activities; rulemaking**

12 The department may not conduct any research activities
14 dealing with lobster fishing, including, but not limited to,
16 research trawl surveys, that could involve interference with or
18 the need to move lobstering gear, unless those activities are
20 authorized pursuant to a rule adopted by the commissioner
pursuant to the Maine Administrative Procedure Act. Any rule
adopted by the commissioner pursuant to this section is
considered a major substantive rule as defined in Title 5,
section 8071. For purposes of this section, "lobstering gear"
means lobster traps, warps, buoys and cars.

22 **SUMMARY**

24 **This bill requires the Commissioner of Marine Resources to**
26 **adopt rules prior to conducting any research activities dealing**
28 **with lobstering, including, but not limited to, research trawl**
30 **surveys conducted by the Department of Marine Resources, that**
32 **could involve interference with or the need to move lobstering**
gear. The rules required by this bill are designated to be major
substantive rules and would require review by the committee of
jurisdiction of the Legislature before they become effective.