MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1387

S.P. 457

In Senate, March 18, 2003

An Act Concerning the Renewal of Commercial Harvester and Dealer Licenses

Submitted by the Department of Marine Resources pursuant to Joint Rule 204. Reference to the Committee on Marine Resources suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator DAMON of Hancock. Cosponsored by Representative BULL of Freeport.

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

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Sec. 1. 12 MRSA §6173, as amended by PL 1985, c. 268, §2, is repealed and the following enacted in its place:

Collection and reporting of statistics.

§6173. Confidentiality of statistics

commissioner may, with the advice and consent of the advisory council, adopt rules to collect pertinent data with respect to the fisheries, including, but not limited to, information regarding the type and quantity of fishing gear used, catch by species in numbers of fish or weight, areas in which fishing was conducted, time of fishing, number of hauls and the estimated processing capacity of, and the actual processing capacity utilized by United States fish processors. The commissioner may collect statistics from any source and may require reporting of these statistics. The information collected by or reported to the commissioner is confidential and may not be disclosed in a manner or form that permits identification of any person or vessel, except when required by court order or when specifically permitted under this section. The commissioner may share data collected under this section with the National Marine Fisheries Service or successor organization for research or fisheries

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management purposes, provided that federal laws and regulations protect the confidentiality of the shared data. The commissioner shall adopt rules to carry out the purposes of this section. Rules adopted under this section are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

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2. Renewal of licenses. If a holder of a license issued under this Part does not substantially comply with the provisions of this section, the commissioner may withhold the renewal of the license until the holder complies with the provisions of this

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section.

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SUMMARY

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This bill provides that if a holder of a license to harvest or sell marine organisms fails to submit required statistics concerning the fisheries, the Commissioner of Marine Resources may refuse to renew the holder's license until the holder complies with the reporting requirement.