

MAINE STATE LEGISLATURE

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R.O.S.

L.D. 576

DATE: 4.20.05

(Filing No. S-94)

MARINE RESOURCES

Reported by:

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STATE OF MAINE
SENATE
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 185, L.D. 576, Bill, "An Act To Continue the Ban on Dragging in the Taunton River Area"

Amend the bill by striking out the title and substituting the following:

'An Act To Reestablish the Ban on Dragging in the Taunton River Area'

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

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

Whereas, the prohibition on dragging in the Taunton River area expired on March 1, 2005; and

Whereas, restrictions on dragging are necessary to protect and conserve marine organisms in Taunton Bay; and

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

COMMITTEE AMENDMENT

R. 018

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

4 **Sec. 1. 12 MRSA §6959-A** is enacted to read:

6 **§6959-A. Dragging in Taunton River area**

8 A person may not fish with any drag or combination of drags
10 in the territorial waters westerly and northerly of the Route 1
12 bridge that connects the towns of Hancock and Sullivan in Hancock
14 County, including Egypt Bay, Taunton Bay and Hog Bay. This
16 section does not apply to research activities in Taunton Bay that
are authorized by the commissioner. Research activities may
include, but are not limited to, scientific studies and
experimental commercial mussel harvesting. This section is
repealed July 1, 2008.

18 **Sec. 2. Report.** No later than January 12, 2007, the
20 Department of Marine Resources shall submit to the joint standing
22 committee of the Legislature having jurisdiction over marine
24 resources matters a science-based comprehensive resource
26 management plan for Taunton Bay. The plan must address the
28 principal user groups, including recreational, scientific and
commercial mussel harvesting interests, in the context of
sustaining the ecological processes, functions and values of
Taunton Bay. The plan may include proposed legislation to
implement the department's recommendations for resource
management in Taunton Bay.

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

34 **SUMMARY**

36 This amendment replaces the bill. The bill proposes to
38 extend the prohibition on dragging in Taunton Bay that was
scheduled to expire on March 1, 2005 by 5 years. In light of the
40 fact that March 1, 2005 has passed and the prohibition on
42 dragging has expired, this amendment enacts language to
reestablish the prohibition on dragging and extend that
44 prohibition to July 1, 2008. The amendment adds an exception to
the prohibition on dragging for research activities in Taunton
46 Bay that are authorized by the Commissioner of Marine Resources.
The amendment also requires the Department of Marine Resources to
submit a science-based comprehensive resource management plan to
the joint standing committee of the Legislature having

COMMITTEE AMENDMENT "A" to S.P. 185, L.D. 576

jurisdiction over marine resources matters by January 12, 2007.
The amendment changes the language in the emergency clause to
reflect that March 1, 2005 has passed.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



Approved: 03/28/05 *MAC*

122nd MAINE LEGISLATURE

LD 576

LR 0635(02)

An Act To Continue the Ban on Dragging in the Taunton River Area

Fiscal Note for Bill as Amended by Committee Amendment *A*

Committee: Marine Resources

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund