MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document   **No. 435**

S.P. 164   In Senate, February 24, 2015

An Act To Extend the Protection of Municipal Shellfish Conservation Programs

(EMERGENCY)

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

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator GERZOFSKY of Cumberland.

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

3   **Whereas,** the soft shell clam and marine worm industries are vital to Maine's coastal
4   economy; and

5   **Whereas,** cooperation of the soft shell clam and marine worm industries and other
6   interested parties is needed to develop predator control strategies to mitigate the effects of
7   green crabs; and

8   **Whereas,** the soft shell clam and marine worm industries have an economic interest
9   in properly managing the intertidal zone in a way that does not disadvantage either user
10 group; and

11 **Whereas,** green crabs are thought to exert adverse impact on juvenile soft shell
12 clams and the intertidal zone, and research is needed to understand and respond to the
13 effects of green crabs on the intertidal zone; and

14 **Whereas,** green crabs are invasive and are causing immediate damage, and the
15 municipal predator control pilot project as well as the authority of municipalities to
16 remove green crabs from predator control project areas expire February 28, 2015; and

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

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

22 **Sec. 1.   12 MRSA §6671, sub-§10-C,** as enacted by PL 2013, c. 517, §1, is
23 amended to read:

24 **10-C. Prohibition.** A person may not fish for or take any marine organism from
25 within a predator control project area that has been approved by the commissioner as part
26 of a municipal predator control project, except that the municipality may remove green
27 crabs from within the predator control project area. A person who violates this
28 subsection commits a civil violation for which a fine of not less than $300 and not more
29 than $1,000 may be adjudged.

30 This subsection is repealed February 28, 2015 2017.

31 **Sec. 2. PL 2013, c. 517, §2, sub-§6** is amended to read:

32 **Sec. 6. Repeal.** This section is repealed February 28, 2015 2017.

33 **Emergency clause.**   In view of the emergency cited in the preamble, this
34 legislation takes effect when approved.

1   **SUMMARY**

2   This bill delays by 2 years the repeal of the provision of law that prohibits the
3   harvesting of marine organisms from within municipal predator control project areas,
4   except for municipal removal of green crabs. The bill also extends by 2 years the
5   municipal predator control pilot project within the Department of Marine Resources to
6   evaluate the effectiveness of predator control strategies in increasing the survival rate of
7   soft shell clams and marine worms.