

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST SPECIAL SESSION
August 29, 2013

SECOND REGULAR SESSION
January 8, 2014 to May 2, 2014

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
EMERGENCY LAW IS
SEPTEMBER 6, 2013

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2014

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2014

must submit their proposals on forms provided by the Department of Marine Resources. The area encompassed by a predator control proposal from a municipality may include no more than 10% of the total area of the entire municipal intertidal zone that is open to the taking of shellfish. In addition, the area encompassed by a predator control proposal, when combined with any area under municipal shellfish aquaculture permits under Title 12, section 6673, subsection 2-A, paragraph B, may not include more than 25% of the entire municipal intertidal zone that is open to the taking of shellfish under section 6671.

2. Proposal selection. The commissioner may approve predator control proposals to participate in the pilot project under subsection 1 from up to 4 municipalities. If more than 4 municipalities submit proposals, the commissioner shall consult the Shellfish Advisory Council established pursuant to the Maine Revised Statutes, Title 12, section 6038 for advice on which proposals to approve. The commissioner may approve more than 4 municipal proposals if the commissioner determines that the additional municipal projects do not affect access to the municipal intertidal zone for the purpose of harvesting marine worms.

3. Marking. A municipality with a predator control project approved by the commissioner under subsection 2 shall clearly mark the boundaries of the predator control project with green stakes and flags and post signs that include the words "approved predator control project" and "no harvesting of marine organisms is allowed within these boundaries."

4. Maintenance of predator control gear. A municipality must maintain all gear approved as part of a predator control project under subsection 1 in good working condition. In the proposal to the commissioner under subsection 1, the municipality must provide a weekly maintenance plan. The commissioner may terminate the municipality's predator control project and order the removal of all gear if the commissioner determines that the municipality has failed to follow the weekly maintenance plan provided.

5. Notice. A municipality with a predator control project approved by the commissioner under subsection 2 shall provide adequate public notice to harvesters of soft shell clams or marine worms of the areas that have been closed to harvesting. This notice must include, but is not limited to, notice in local newspapers and publicly accessible websites of the municipality and posting signs as appropriate at water access sites.

6. Repeal. This section is repealed February 28, 2015.

Sec. 3. Predator control strategies. The Commissioner of Marine Resources shall, with the cooperation of the soft shell clam and marine worm

industries and other interested parties, develop predator control strategies to mitigate the effects of green crabs. The strategies must identify the needs of the soft shell clam and marine worm industries and recognize that both industries have an economic interest in properly managing the intertidal zone in a way that does not disadvantage either user group. The commissioner shall present those strategies for review and comment to the joint standing committee of the Legislature having jurisdiction over marine resources matters no later than January 31, 2015. After review of the strategies, the committee may report out a bill related to the strategies to the First Regular Session of the 127th Legislature.

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

Effective April 5, 2014.

CHAPTER 518

H.P. 1212 - L.D. 1689

**An Act To Encourage and
Protect Innovation in Fisheries,
Aquaculture and Seafood
Processing**

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

Sec. 1. 1 MRSA §402, sub-§3, ¶R, as amended by PL 2013, c. 339, §2, is further amended to read:

R. Social security numbers in the possession of the Secretary of State; ~~and~~

Sec. 2. 1 MRSA §402, sub-§3, ¶S, as enacted by PL 2013, c. 339, §3, is amended to read:

S. E-mail addresses obtained by a political subdivision of the State for the sole purpose of disseminating noninteractive notifications, updates and cancellations that are issued from the political subdivision or its elected officers to an individual or individuals that request or regularly accept these noninteractive communications; ~~and~~

Sec. 3. 1 MRSA §402, sub-§3, ¶T is enacted to read:

T. Records describing research for the development of processing techniques for fisheries, aquaculture and seafood processing or the design and operation of a depuration plant in the possession of the Department of Marine Resources.

See title page for effective date.
