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An Act To Extend the Protection of Municipal Shellfish Conservation Programs

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

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

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

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

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

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

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

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

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

This subsection is repealed February 28, ~~2015~~2017.

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

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 This section is repealed February 28, ~~2015~~2017.

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

SUMMARY

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