

103^D CONGRESS
2^D SESSION

H. R. 4930

To amend the Magnuson Fishery Conservation and Management Act to authorize the Secretary of Commerce to prepare fishery management plans and amendments to fishery management plans under negotiated rule-making procedures.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 10, 1994

Ms. SNOWE introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

A BILL

To amend the Magnuson Fishery Conservation and Management Act to authorize the Secretary of Commerce to prepare fishery management plans and amendments to fishery management plans under negotiated rulemaking procedures.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AUTHORITY TO PREPARE FISHERY MANAGE-**
2 **MENT PLANS AND AMENDMENTS UNDER NE-**
3 **GIOTIATED RULEMAKING PROCEDURES.**

4 (a) AUTHORITY.—Section 304(c) of the Magnuson
5 Fishery Conservation and Management Act (16 U.S.C.
6 1854(c)) is amended by adding at the end the following:

7 “(4)(A) In addition to the authority of the Secretary
8 under paragraph (1), the Secretary, under the procedures
9 for negotiated rulemaking established by subchapter III
10 of chapter 5 of title 5, United States Code, may prepare—

11 “(i) a fishery management plan with respect to
12 any fishery, or any amendment to any such a plan,
13 and

14 “(ii) such proposed regulations as are necessary
15 or appropriate to carry out a fishery management
16 plan or amendment prepared under clause (i).

17 “(B) A fishery management plan or amendment pre-
18 pared under procedures for negotiated rulemaking pursu-
19 ant to subparagraph (A) shall be prepared—

20 “(i) in accordance with the national standards,
21 the other provisions of this Act (other than para-
22 graph (1)), and any other applicable law; and

23 “(ii) in consultation with the Secretary of State
24 with respect to foreign fishing, and with the Sec-
25 retary of the department in which the Coast Guard
26 is operating with respect to enforcement at sea.”.

1 (b) CONFORMING AMENDMENT.—Section 304(c) of
2 the Magnuson Fishery Conservation and Management Act
3 (16 U.S.C. 1854(c)) is amended in each of paragraphs
4 (2)(A) and (3) by striking “paragraph (1)” and inserting
5 “this subsection”.

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