

104TH CONGRESS
1ST SESSION

H. R. 74

To amend the Marine Mammal Protection Act of 1972 to provide for State disapproval of issuance of permits for the taking of marine mammals in protected State waters.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Mr. Goss introduced the following bill; which was referred to the Committee on Resources

A BILL

To amend the Marine Mammal Protection Act of 1972 to provide for State disapproval of issuance of permits for the taking of marine mammals in protected State waters.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Marine Mammal
5 Capture Reform Act of 1995”.

1 **SEC. 2. STATE DISAPPROVAL OF ISSUANCE OF PERMITS**
2 **FOR TAKING OF MARINE MAMMALS IN STATE**
3 **WATERS.**

4 Subsection (d) of section 104 of the Marine Mammal
5 Protection Act of 1972 (16 U.S.C. 1374) is amended by
6 adding at the end the following:

7 “(7)(A) The Secretary may not issue a permit under
8 subsection (c)(2) for the taking of any marine mammal
9 from protected State waters for the purpose of public dis-
10 play, if—

11 “(i) issuance of the permit would be inconsis-
12 tent with State law; and

13 “(ii) the Governor of the State in which the
14 taking would occur submits to the Secretary notice
15 of State disapproval of the permit, including an ex-
16 planation of the reasons for the disapproval, not
17 later than 30 days after the date of publication of
18 notice of application for the permit pursuant to
19 paragraph (2).

20 “(B) For purposes of this paragraph, the term ‘pro-
21 tected State waters’ means State waters that—

22 “(i) receive special protection by State law from
23 certain activities; or

24 “(ii) have been designated by State law as hav-
25 ing special value.”.