

# MAINE STATE LEGISLATURE

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L.D. 1590

STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-510)  
110TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1450, L.D. 1590, Bill,  
"AN ACT Establishing a Voluntary Income Protection Program for  
Shellfish Harvesters."

Amend the bill by striking out everything after the  
enacting clause and inserting in its place the following:

'12 MRSA c. 623, sub-c. I, Art. 5 is enacted to read:

ARTICLE 5

VOLUNTARY INCOME PROTECTION PROGRAM

FOR SHELLFISH HARVESTERS

§6681. Purpose

It is the policy of the State to provide reasonable  
assistance to Maine business people and to encourage natural  
resource conservation and development. Whereas paralytic shell-  
fish poisoning prevents the harvesting of certain shellfish  
species from time-to-time and causes serious economic dislocation  
in coastal areas, it is the purpose of this Article to establish  
a voluntary income protection program to assist shellfish harvesters.

§6682. Program establishment; rules

The commissioner shall establish a nonlapsing voluntary  
income protection fund for shellfish harvesters whose income is  
reduced by the temporary closing of shellfish harvesting areas

because of the presence of paralytic shellfish poisoning. Contributions to the fund may be made by licensed shellfish harvesters and the State. Interest earned by the fund shall be credited to the fund. Moneys in the fund shall be used solely for the purposes of this Article.

The commission shall promulgate necessary rules in accordance with section 6191.

§6683. Eligibility for participation

1. Persons eligible. Any person who is a licensed shellfish harvester and can demonstrate that more than 50% of his earned income for the prior year was derived from shellfish harvesting may participate in the voluntary income protection program.

2. Participation. To participate, a person shall contribute annually, by November 1st of the year next prior to the calendar year in which he seeks income protection, an amount not less than \$150 nor more than \$250 as established by rule of the commissioner.

§6684. Payments from the fund

By January 1st of each year, the commissioner shall establish by rule the maximum amount, not to exceed \$1,200 annually, payable to any claimant.

By January 1st of each year, the commissioner shall establish by rule an amount, not less than \$75 nor more than \$150 weekly, payable to any claimant.

No payments may be made until the shellfish harvesting area closed by order of the commissioner has been closed for 14 days. The first weekly claim period shall begin on the 14th day following closure. Payments shall cease when the fund is depleted or when the shellfish harvesting area has been reopened.

No payments may be made under this section before April 1, 1982.

\$6685. Eligibility for payments from the fund

Any person participating in the <sup>program</sup> / shall be eligible for payment from the fund when:

1. Earned income. He provides information that he had not received or earned income in excess of \$75 in the week for which a claim is made; and
2. Closure. He provides information that the closure of shellfish harvesting in a particular area is reasonably preventing him from earning further income.

\$6686. Review of ~~Rules~~

Rules adopted under this Article shall be submitted to the legislative committee having jurisdiction over marine resources by January 1, 1982. The legislative committee shall complete its review of these rules and submit a report of its findings by April 1, 1982.

\$6687. Article repealed

If at least 200 persons have not elected to participate and pay into the voluntary income protection <sup>program</sup> / by December 15, 1981 this Article is repealed April 1, 1982 and any contributions from shellfish harvesters shall be returned to the contributors.

Otherwise this Article is repealed January 1, 1985.

Fiscal Note

The appropriation for this legislation is included in the Part II Budget which requests \$80,000 for the fund and \$20,000 for administration in fiscal year 1982-83.'

Statement of Fact

This amendment repeals the voluntary income protection program on April 1, 1982, unless at least 200 harvesters participate in the program. This amendment also provides for legislative review of rules to implement the program.

Reported by the Committee on Marine Resources.  
Reproduced and distributed under the direction of the Clerk of the House.

6/1/81

(Filing No. H-510)