

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1184

H. P. 959

House of Representatives, March 13, 1979

Referred to the Committee on Marine Resources. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Jackson of Yarmouth.

Cosponsor: Mr. Bowden of Brooklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Increase Lobster Fishing License Fees and Establish a Lobster Advisory Council.

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

Sec. 1. 12 MRSA § 6421, sub-§ 7, as amended by PL 1977, c. 713, § 4, is further amended to read:

7. Fee. The fee for the license shall be ~~\$25~~ **\$60** for applicants 17 years of age or older and ~~\$10~~ **\$25** for those under 17.

Sec. 2. 12 MRSA § 6451, sub-§ 1, as amended by PL 1977, c. 713, § 5, is further amended to read:

1. Allocation of license fees. Ten dollars of each ~~\$25~~ **\$60** fee and ~~five dollars~~ **\$5** of each ~~\$10~~ **\$25** fee of each lobster and crab fishing license shall be allocated to the Lobster Fund, which shall be used for the purpose of ~~propagation~~ **propagation** of lobsters by liberating seed and female lobsters in Maine coastal waters.

Sec. 3. 12 MRSA c. 619, sub-c. IV is enacted to read:

SUBCHAPTER IV

LOBSTER ADVISORY COUNCIL

§ 6461. Purpose

The lobster fishing industry is one of the most important industries in the State. It is important because of its contribution to the economy and also because of its unique social, historic and cultural contributions to this State's quality of life.

This subchapter is enacted to help conserve and promote the prosperity and welfare of the State and its citizens and the lobster fishing that helps to support them. This subchapter will accomplish these goals by fostering and promoting better methods of conserving, utilizing, processing, marketing and studying the lobster.

§ 6462. Lobster Advisory Council

1. **Appointment; composition.** There is established the Lobster Advisory Council which shall consist of 9 members. Each member shall be appointed by the commissioner. Six members of the council shall be holders of lobster and crab fishing licenses and shall be chosen to reflect a geographic distribution along the coast. Two members shall be holders of wholesale seafood licenses and shall be primarily dealers in lobster. One member shall be a member of the general public and shall not hold any license under this subpart.

2. **Term.** All members shall be appointed for a term of 4 years, except a vacancy shall be filled by the commissioner for the unexpired portion of the term. Members shall continue to serve until their successors are appointed.

3. **Compensation.** Members shall serve without compensation, but shall be reimbursed for their actual expenses, including travel at a mileage rate equal to that for state employees under Title 5, section 8.

4. **Quorum.** A quorum shall be 5 members of the council, if at least 3 of them are lobster and crab fishing license holders.

5. **Chairman and officers.** The council shall annually choose one of its members to serve as chairman for a one-year term. The council may select other officers and designate their duties.

6. **Meetings.** The council shall meet at least 4 times a year at regular intervals. It may also meet at other times at the call of the chairman or executive director.

§ 6463. Lobster Advisory Council Fund

There shall be a Lobster Advisory Council Fund which shall be subject to the following provisions.

1. **Allocation of fees.** Ten dollars of each lobster and crab fishing license fee shall be allocated to the fund.

2. **Use of fund.** The fund may be used to pay the expenses of its members, the salaries and expenses of the executive director and council personnel and for the council's authorized activities and programs.

3. Nonlapsing fund. The fund shall be nonlapsing.

§ 6464. Executive director and personnel

1. Executive director. The council may appoint an executive director to carry out its activities and programs, who shall serve at the pleasure of the council. The council shall set forth the salary of the director, which shall not be diminished during his term.

2. Personnel. The executive director, with the consent of the council, may employ, subject to the Personnel Law, no more than 2 persons to act as clerical assistants.

§ 6465. Council programs and activities

1. Advise. The council shall advise the commissioner on activities of the department that relate to the lobster industry. The council shall investigate problems affecting the lobster industry and may make recommendations to the commissioner and the Marine Resources Advisory Council concerning its investigations.

2. Research plans. The council shall review current lobster research programs and plans for research on the lobster stock at least at 2 regular meetings. It shall submit, annually, its recommendations on those programs and plans.

STATEMENT OF FACT

This bill establishes a 9 member Lobster Advisory Council to advise the Department of Marine Resources on activities relating to lobster. It also increases lobster license fees to provide funds for the council.