

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 764

6  
7 H.P. 537

House of Representatives, February 27, 1985

8 On motion of Representative Gwadosky of Fairfield, referred to the  
9 Committee on State Government. Sent up for concurrence and ordered  
10 printed.

EDWIN H. PERT, Clerk

Presented by Representative Manning of Portland.

11 Cosponsored by Representative Nadeau of Saco.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-FIVE  
16

17 AN ACT Concerning Financing of Commercial  
18 Fishing Vessels under All Financing Programs  
19 of the Finance Authority of Maine.  
20

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

23 Sec. 1. 10 MRSA §987, sub-§9 is enacted to read:

24 9. Commercial vessels. If the loan is for the  
25 purchase or acquisition of a vessel to be used in  
26 commercial fishing, the applicant shall certify in  
27 writing that the following standards shall be met:

28 A. The commercial fishing vessel shall be con-  
29 structed in the State;

30 B. The commercial fishing vessel shall operate  
31 from a base port within the State;

32 C. The fish caught and stored in the vessel  
33 shall be landed in the State; and

1        D. At least 80% of the total fish caught and  
2        landed shall be processed in the State.

3        Sec. 2. 10 MRSA §1001, sub-§6, ¶D, as enacted by  
4        PL 1983, c. 519, §7, is amended to read:

5        D. Any fishing vessel documented or to be  
6        documented as a fishing vessel under laws of the  
7        United States, any fishing vessel registered or  
8        to be registered under a state's law which is de-  
9        signed to be used for catching, processing or  
10       transporting fish and any vessel outfitted for  
11       that activity, and which meets the following cri-  
12       teria:

13                (1) The vessel is constructed within the  
14                State;

15                (2) The owner of the vessel certifies in  
16                writing that the vessel shall operate from a  
17                base port within the State and that the to-  
18                tal catch taken by the vessel shall be  
19                landed at a state port; and

20                (3) At least 80% of the total catch shall  
21                be processed in the State; and

22        Sec. 3. 10 MRSA §1001, sub-§7, ¶C, as repealed  
23        and replaced by PL 1983, c. 862, §30, is amended to  
24        read:

25        C. Office building or space of less than 5,000  
26        square feet and, at the time of application, as  
27        determined according to rules adopted by the au-  
28        thority:

29                (1) Less than 20% of the employees in the  
30                existing office building represent new jobs  
31                over a 3-year period immediately prior to  
32                the time of application;

33                (2) Less than 20% of the employees who oc-  
34                cupy the new office building represent new  
35                jobs within the first year following occupa-  
36                tion of the new office building; or

1 (3) That the increase in the number of new  
2 jobs in the municipality represented by the  
3 occupants in the proposed office building is  
4 not expected to be a significant increase,  
5 as determined by the authority, and would  
6 not make an important contribution to the  
7 economy of the municipality for which the  
8 project is proposed-;

9 Sec. 4. 10 MRSA §1001, sub-§7, ¶D, as repealed  
10 and replaced by PL 1983, c. 862, §30, is amended to  
11 read:

12 D. Any office building or space proposed by an  
13 applicant who, as determined by the authority is  
14 able to compete successfully in the normal com-  
15 mercial lending market and to pay the rates which  
16 private financial institutions are charging for  
17 similar projects; ~~and~~

18 Sec. 5. 10 MRSA §1001, sub-§7, ¶E, as repealed  
19 and replaced by PL 1983, c. 862, §30, is amended to  
20 read:

21 E. Any office building or space proposed by an  
22 applicant who or which does not meet the require-  
23 ments prescribed in rules by the authority per-  
24 taining to individual net worth, affect of the  
25 proposed project on similar, existing projects,  
26 affect of the proposed project on the general ar-  
27 ea in which it is located and any other standards  
28 deemed necessary by the authority to determine  
29 the potential affect of the proposed project and  
30 the ability of the applicant to undertake the  
31 project with resources of conventional financing  
32 institutions-; and

33 Sec. 6. 10 MRSA §1001, sub-§7, ¶F is enacted to  
34 read:

35 F. Any commercial fishing vessel that is not  
36 constructed in the State, does not operate from a  
37 base port in the State, does not land its entire  
38 catch in the State and less than 80% of its catch  
39 is processed in the State.

1 (1) The owner of any fishing vessel fi-  
2 nanced under the Municipal Securities Ap-  
3 proval Program in subchapter IV shall pay  
4 the watercraft excise tax to the municipali-  
5 ty which authorized the bond financing of  
6 that vessel.

7 STATEMENT OF FACT

8 The purpose of this bill is to insure that fish-  
9 ing vessels financed by the Finance Authority of  
10 Maine shall be constructed in the State, operate from  
11 state ports and land their catch in the State. Under  
12 current law, there are no requirements relating to  
13 the origin or operation of fishing vessels financed  
14 with municipal or state bonds. As a result, a fish-  
15 ing vessel constructed out-of-state presently can be  
16 funded with state or municipal bonds and operate out  
17 of ports in other states.

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