

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 985

6
7 S.P. 365

In Senate, March 12, 1985

8 Referred to the Committee on Marine Resources. Sent down for
9 concurrence and ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Sewall of Lincoln.

11
12 STATE OF MAINE
13

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

17 AN ACT Concerning Commercial Fishing and
18 Maritime Activity Zones.
19

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

22 12 MRSA §4818 is enacted to read:

23 §4818. Commercial fishing and maritime activity zones

24 1. Definitions. As used in this section, unless
25 the context otherwise indicates, the following terms
26 have the following meanings.

27 A. "Commercial fishing activities" includes not
28 only those activities directly related to commer-
29 cial fishing, but also those commercial activi-
30 ties commonly associated with or supportive to
31 commercial fishing, such as the manufacture or
32 sale of ice, bait and nets and the sale, manufac-
33 ture, installation or repair of boats, engines
34 and other electronic devices commonly used on
35 boats.

1 B. "Maritime activity" includes the construc-
2 tion, repair, storage, loading and unloading of
3 boats, chancellery and other commercial activi-
4 ties designed and intended to facilitate maritime
5 trade.

6 2. Municipalities may establish zones. A munic-
7 ipality may, within coastal shoreland areas within
8 that municipality, adopt zoning ordinances establish-
9 ing a commercial fishing and maritime activity zone.
10 In creating such a zone, the municipality shall con-
11 sider at least the following:

12 A. The number of commercial fishermen utilizing
13 its shorefront;

14 B. The availability of shorefront for commercial
15 fishing;

16 C. The demands for shorefront property for com-
17 mmercial and residential purposes not related to
18 commercial fishing or maritime activity; and

19 D. Access to the shore and availability of space
20 appropriate for commercial fishing and maritime
21 activities.

22 3. Assistance. The Department of Environmental
23 Protection and the State Planning Office shall pro-
24 vide assistance to any municipality in establishing a
25 commercial fishing or maritime activity zone pursuant
26 to subsection 2.

27 4. Rules. The Department of Environmental Pro-
28 tection and the State Planning Office shall, by rule,
29 jointly establish prior to January 1, 1986, standards
30 for creation of commercial fishing or maritime activ-
31 ity zones under this section. Included in these
32 standards shall be a procedure for municipal resi-
33 dents to petition a municipality for the creation of
34 such a zone.

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STATEMENT OF FACT

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The purpose of this bill is to establish a procedure for the creation of commercial fishing and maritime activity zones within the shoreland zones of coastal municipalities.

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