

# MAINE STATE LEGISLATURE

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1 (EMERGENCY)  
2 (New Draft of S.P. 388, L.D. 1067)  
3 (New Title)  
4 FIRST REGULAR SESSION  
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6 ONE HUNDRED AND TWELFTH LEGISLATURE  
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8 Legislative Document

No. 1552

9  
10 S.P. 589

In Senate, May 17, 1985

11 Reported by Senator Brown of Washington from the Committee on  
12 Marine Resources and printed under Joint Rule 2. Original bill sponsored by  
13 Senator Chalmers of Knox. Cosponsored by Representative Conners of  
Franklin, Representative Coles of Harpswell and Representative Crowley of  
Stockton Springs.

JOY J. O'BRIEN, Secretary of the Senate

14  
15 STATE OF MAINE  
16

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17 IN THE YEAR OF OUR LORD  
18 NINETEEN HUNDRED AND EIGHTY-FIVE  
19

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20 AN ACT to Allow the Use of Lobster Fund Money  
21 to Provide for Lobster Hatcheries.  
22

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23 Emergency preamble. Whereas, Acts of the Legis-  
24 lature do not become effective until 90 days after  
25 adjournment unless enacted as emergencies; and

26 Whereas, fishing mortality in the lobster indus-  
27 try continues to be a serious problem affecting the  
28 long-term viability of this important Maine fishery;  
29 and

30 Whereas, lobster hatcheries may hold significant  
31 promise to increase the survival of larval lobster;  
32 and

33 Whereas, lobster hatcheries function most effec-  
34 tively in the spring and summer months; and

1           Whereas, in the judgment of the Legislature,  
2 these facts create an emergency within the meaning of  
3 the Constitution of Maine and require the following  
4 legislation as immediately necessary for the preser-  
5 vation of the public peace, health and safety; now,  
6 therefore,

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

9           Sec. 1. 12 MRSA §6451, sub-§1, as amended by PL  
10 1981, c. 480, §2, is further amended to read:

11           1. Allocation of license fees. Ten dollars of  
12 each \$33 fee and \$5 of each \$13 fee for each lobster  
13 and crab fishing license shall be allocated to the  
14 Lobster Fund, which shall be used for the purpose of  
15 propagation of lobsters by liberating seed and female  
16 lobsters in Maine coastal waters and establishing and  
17 supporting lobster hatcheries.

18           Sec. 2. 12 MRSA §6451, sub-§§3 and 4, as enacted  
19 by PL 1977, c. 661, §5, are repealed and the follow-  
20 ing enacted in their place:

21           3. Liberation and v-notching. The commissioner  
22 may provide purchased seed lobsters to lobster hatch-  
23 eries. The remaining seed and all other female  
24 lobsters shall be liberated in the coastal waters af-  
25 ter v-notching them in the right flipper. The right  
26 flipper shall be determined as established under sec-  
27 tion 6436, subsection 1.

28           4. Program. The commissioner may authorize the  
29 expenditure of money in the Lobster Fund for research  
30 and development programs which address the restora-  
31 tion, development or conservation of lobster re-  
32 sources.

33           Sec. 3. 12 MRSA §6451, sub-§§6 and 7 are enacted  
34 to read:

35           6. Lobster hatcheries. The commissioner may au-  
36 thorize expenditure of money from the Lobster Fund to  
37 make grants in support of the establishment and oper-  
38 ation of lobster hatcheries. The grant may be used

1 to defray a portion, not to exceed 50%, of the cost  
2 of the salary of an individual to supervise and man-  
3 age the hatchery and to pay for direct operating ex-  
4 penses including, but not limited to, power and lob-  
5 ster feed. The grant shall be for a one-year period  
6 and shall be renewable indefinitely upon successful  
7 reapplication. There shall be no more than 5 lobster  
8 hatcheries supported under this section. The commis-  
9 sioner shall develop rules, including biological and  
10 economic criteria for evaluating proposals. The com-  
11 missioner shall require the grantee to keep a log of  
12 activities regarding the hatchery and shall require a  
13 written report at the termination of each grant.

14 7. Lobster Advisory Council. The commissioner  
15 shall consult with the Lobster Advisory Council on  
16 the expenditure of funds under this section.

17 Emergency clause. In view of the emergency cited  
18 in the preamble, this Act shall take effect when ap-  
19 proved.

20 STATEMENT OF FACT

21 The purpose of this new draft is to enable the  
22 use of funds from the Lobster Fund in the establish-  
23 ment and support of lobster hatcheries. The draft  
24 allows the Commissioner of Marine Resources to make  
25 grants to privately operated lobster hatcheries and  
26 to monitor their results. The new draft also allows  
27 the commissioner to undertake other research and con-  
28 servation activities which would strengthen the lob-  
29 ster stocks.

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