

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1952

6
7 H.P. 1383

House of Representatives, January 30, 1986

8 Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 26.

9 Reference to the Committee on Appropriations and Financial Affairs
suggested and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Small of Bath.

11 Cosponsored by Representative Cahill of Woolwich, Representative
Holloway of Edgcomb and Senator Stover of Sagadahoc.

12 STATE OF MAINE
13

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

17 AN ACT to Provide for a Clean-up Program
18 Concerning Natural Die-off of Fish in
19 the Coastal Waters of the State.
20

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

23 Sec. 1. 12 MRSA §6132 is enacted to read:

24 §6132. Natural Fish Die-off Clean-up Program

25 1. Purpose. The purpose of this section is to
26 create a program, administered by the commissioner,
27 for cleaning up the remains of dead fish which are
28 killed in large volumes as a result of wholly natural
29 conditions. When the commissioner has determined that
30 an area will be adversely affected as a result of a
31 fish die-off, he may provide funds to a municipality
32 to contract for services to implement the program.

33 2. Rules. The commissioner may promulgate rules
34 to:

1 A. Assure compliance with the requirements nec-
2 essary to accomplish the purpose of the program;

3 B. Provide criteria for determining which munic-
4 ipalities shall be awarded funds, including:

5 (1) The extent that the resources of a com-
6 munity has been adversely affected;

7 (2) The possible effectiveness of clean-up
8 efforts in a municipality; and

9 (3) A municipality's ability to implement
10 the program; and

11 C. Establish the methods, forms and reporting
12 procedures for application for implementation of
13 this section.

14 3. Commissioners powers and duties. The commis-
15 sioner may enter into agreement with municipalities
16 concerning the administration and evaluation of the
17 effectiveness of the programs carried out under this
18 section.

19 4. Funding. The commissioner may disburse to a
20 municipality funds to provide 50% of the total ex-
21 penditures necessary to carry out the program in that
22 municipality. He may obligate annually from the fish
23 die-off fund an amount not to exceed \$120,000 to be
24 used to carry out the purpose of this section.

25 5. Definition. For the purpose of this section,
26 "natural" means die-offs due to environmental changes
27 produced or existing in nature and not artificially
28 created by man or his activities.

29 6. Disposal. The method by which fish are dis-
30 posed of under this program shall be in accordance
31 with all state and federal laws and regulations.

32 Sec. 2. Appropriation. The following funds are
33 appropriated from the General Fund to carry out the
34 purposes of this Act.

35 1986-87

1 MARINE RESOURCES,
2 DEPARTMENT OF

3 All Other \$125,000

4 STATEMENT OF FACT

5 During the summers of 1984 and 1985, 2 major fish
6 die-offs occurred within Maine coastal waters. Both
7 events are believed to be to natural rather than man-
8 made causes.

9 The results of such die-offs have lead to a num-
10 ber of environmental problems affecting the well-
11 being of many of Maine coastal property owners and to
12 the municipalities which serve them.

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