

MAINE STATE LEGISLATURE

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(EMERGENCY)
(New Draft of H.P. 82, L.D. 85)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1425

H.P. 1055 House of Representatives, May 4, 1987
Reported by Representative CROWLEY from the Committee on
Marine Resources and printed under Joint Rule 2.

EDWIN H. PERT, Clerk

Original bill sponsored by Representative VOSE of
Eastport. Cosponsored by Senator RANDALL of Washington and
Representative CROWLEY of Stockton Springs.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Strengthen the Lobster Hatchery
Program.

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4 **Emergency preamble.** Whereas, Acts of the Legis-
5 lature do not become effective until 90 days after
6 adjournment unless enacted as emergencies; and

7 Whereas, the cycle for lobster hatcheries starts
8 up in the spring and early summer and anticipated
9 funding level for the hatcheries must be known before
10 the cycle begins; and

11 Whereas, in the judgment of the Legislature,
12 these facts create an emergency within the meaning of
13 the Constitution of Maine and require the following
14 legislation as immediately necessary for the preser-

1 vation of the public peace, health and safety; now,
2 therefore,

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

5 Sec. 1. 12 MRSA §6451, sub-§6, as enacted by PL
6 1985, c. 237, §3, is repealed and the following en-
7 acted in its place:

8 6. Lobster hatcheries. The commissioner, with
9 the advice of the Lobster Advisory Council, may au-
10 thorize expenditure of money from the Lobster Fund
11 and, as appropriated by the Legislature, the General
12 Fund to make grants in support of the establishment
13 and operation of lobster hatcheries. The grants shall
14 be for a one-year period and shall be renewable in-
15 definitely upon successful reapplication. There shall
16 be no more than 5 lobster hatcheries supported under
17 this section. The commissioner shall develop rules,
18 including biological and economic criteria for eval-
19 uating proposals. The commissioner shall require the
20 grantee to keep a log of activities regarding the
21 hatchery and shall require a written report at the
22 termination of each grant.

23 Sec. 2. Appropriation. The following funds are
24 appropriated from the General Fund to carry out the
25 purposes of this Act.

	<u>1987-88</u>	<u>1988-89</u>
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MARINE RESOURCES,
DEPARTMENT OF

All Other	\$25,000	\$25,000
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30 Emergency clause. In view of the emergency cited
31 in the preamble, this Act shall take effect when ap-
32 proved.

STATEMENT OF FACT

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This new draft reiterates the Lobster Advisory Council's authority to advise the commissioner on the expenditure of money from the Lobster Fund and leaves the percentage allocation of those funds to the discretion of the commissioner. The appropriation from the General Fund also is increased from \$20,000 to \$25,000.

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Because funding must soon be secured for these hatcheries to begin their next annual cycle, the new draft contains an emergency preamble and clause.

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