

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 134

H.P. 93

House of Representatives, January 14, 1991

Reference to the Committee on Marine Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative MITCHELL of Freeport.

Cosponsored by Representative SWAZEY of Bucksport, Representative WENTWORTH of Arundel and Representative LOOK of Jonesboro.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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**Resolve, to Establish the Commission to Study Lobster Trap Limits.**

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(EMERGENCY)



Emergency preamble. Whereas, Acts and resolves of the  
2 Legislature do not become effective until 90 days after  
adjournment unless enacted as emergencies; and

4  
Whereas, the health of the lobster industry is dependent  
6 upon effective resource management; and

8  
Whereas, this commission must begin its work by July 1st in  
order to complete its work by November 1st; and

10  
Whereas, in the judgment of the Legislature, these facts  
12 create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
14 necessary for the preservation of the public peace, health and  
safety; now, therefore, be it

16  
Sec. 1. Commission established. Resolved: That the Commission  
18 to Study Lobster Trap Limits is established; and be it further

20  
Sec. 2. Appointment. Resolved: That the commission consists  
of 20 members: 13 must be Legislators who are members of the  
22 Joint Standing Committee on Marine Resources in the First Regular  
Session of the 115th Legislature; the Commissioner of Marine  
24 Resources or the commissioner's designee; and 6 members of the  
public appointed jointly by the President of the Senate and the  
26 Speaker of the House of Representatives. Of the 6 public members  
2 must be lobster harvesters, 2 must be lobster dealers and one  
28 must be engaged in the business of importing or exporting  
lobsters; and be it further

30  
Sec. 3. Convening of commission. Resolved: That all  
32 appointments must be made no later than 30 days after the  
effective date of this resolve. The Executive Director of the  
34 Legislative Council must be notified by all appointing  
authorities when the selections have been made. The Chair of the  
36 Legislative Council shall call the first meeting of the  
commission by July 1, 1990. The commission shall select a  
38 Legislator from its membership as chair; and be it further

40  
Sec. 4. Duties. Resolved: That the commission shall meet 5  
times to study the need for lobster trap limits. The commission  
42 shall review proposals to establish a lobster trap limit and  
shall evaluate the costs and benefits to the lobster industry and  
44 to the people of the State of proposals to establish lobster trap  
limits; and be it further

46  
Sec. 5. Report. Resolved: That the commission shall present  
48 its findings, together with any recommended legislation, to the  
Second Regular Session of the 115th Legislature by November 1,  
50 1991; and be it further

2           **Sec. 6. Assistance. Resolved:** That the commission shall  
3 request from the Legislative Council sufficient staff assistance  
4 to carry out these duties. The commission may also call upon the  
5 Department of Marine Resources for assistance; and be it further

6           **Sec. 7. Compensation. Resolved:** That the members of the  
7 commission who are Legislators are entitled to receive the  
8 legislative per diem, as defined in the Maine Revised Statutes,  
9 Title 3, section 2, for each day's attendance at commission  
10 meetings. All members of the commission are entitled to receive  
11 reimbursement for expenses upon application to the Executive  
12 Director of the Legislative Council.

13           **Emergency clause.** In view of the emergency cited in the  
14 preamble, this resolve takes effect when approved.  
15

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17  
18                                 **STATEMENT OF FACT**

19  
20           This emergency resolve establishes the 20-member Commission  
21 to Study Lobster Trap Limits. The commission is required to hold  
22 its first meeting by July 1, 1991, to meet 5 times and to report  
23 its findings to the Second Regular Session of the 115th  
24 Legislature by November 1, 1991.