

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1423

S.P. 456

In Senate, May 4, 1993

**Resolve, Directing That the State's Coastal Zone Management Program  
Be Amended to Include Monitoring of Shellfish Harvesting Areas by the  
Department of Marine Resources.**

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.  
Reference to the Committee on Marine Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator VOSE of Washington.

Cosponsored by Senators: FOSTER of Hancock, PEARSON of Penobscot, Representatives:  
CHONKO of Topsham, FOSS of Yarmouth, KERR of Old Orchard Beach, MacBRIDE of  
Presque Isle, MITCHELL of Freeport, POULIOT of Lewiston, REED of Falmouth.

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

4  
6           Whereas, integral components of national coastal zone  
management policy set forth in the Coastal Zone Management Act of  
1972, 16 United States Code, Section 1451 et seq., are the  
8 protection of reasonable coastal-dependent economic growth, the  
encouragement of cooperation among public, state and local  
10 governments and the collection, analysis, synthesis and  
dissemination of coastal management information; and

12  
14           Whereas, the Coastal Zone Management Act of 1972 permits  
grants to coastal states for the purpose of restoring and  
enhancing shellfish production; and

16  
18           Whereas, the Coastal Zone Management Act of 1972 provides  
for the protection of coastal waters, water quality, coastal  
habitat and public health and safety; and

20  
22           Whereas, the Maine Revised Statutes, Title 38, chapter 19  
finds that the Maine coast is an asset of immeasurable value to  
the people of the State and the nation; and

24  
26           Whereas, the coastal zone management policies of the State,  
as set forth in the Maine Revised Statutes, Title 38, chapter 19,  
include management of marine resources to enhance the economic  
28 value of the State's renewable marine resources and the  
restoration and maintenance of fresh, marine and estuarine water  
30 to allow for the broadest possible diversity of public and  
private uses; and

32  
34           Whereas, the State anticipates receiving \$1,900,000 in  
coastal zone management grants in fiscal year 1993-94; and

36           Whereas, the State's coastal zone management program does  
not provide for the use of any coastal zone management funds for  
38 shellfish monitoring by the Department of Marine Resources after  
July 1, 1993; and

40  
42           Whereas, effective shellfish monitoring is essential to  
avoid the loss of hundreds of jobs and protect public health  
risks from the consumption of contaminated shellfish; and

44  
46           Whereas, in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
48 necessary for the preservation of the public peace, health and  
safety; now, therefore, be it

2           **Sec. 1. Joint amendment. Resolved:** That the Commissioner of  
 4 Marine Resources and the Director of the State Planning Office  
 6 within the Executive Department shall jointly prepare an  
 amendment to the state coastal zone management program; and be it  
 further

8           **Sec. 2. Shellfish monitoring. Resolved:** That the amendment must  
 10 include shellfish monitoring by the Department of Marine  
 Resources as a component of the state program; and be it further

12           **Sec. 3. Area biologists. Resolved:** That the amendment direct an  
 14 additional \$250,000 of coastal zone management funds in each  
 fiscal year to the Department of Marine Resources to support 2  
 16 Marine Research Scientist I positions and 3 Marine Research  
 Scientist II positions to perform the functions of area  
 biologists; and be it further

18           **Sec. 4. Submission to the Secretary of Commerce. Resolved:** That  
 20 the Director of the State Planning Office shall submit that  
 amendment to the United States Secretary of Commerce no later  
 22 than May 21, 1993; and be it further

24           **Sec. 5. Allocations. Resolved:** That the following allocations  
 are made from coastal zone management funds.

	1993-94	1994-95
<b>DEPARTMENT OF MARINE RESOURCES</b>		
<b>Marine Development - Bureau of</b>		
Positions - Legislative Count	(5.0)	(5.0)
Personal Services	\$226,284	\$201,872
All Other	23,716	48,128
Provides for the allocation of funds from coastal zone management funds for 2 Marine Research Scientist I positions and 3 Marine Research Scientist II positions to reinstate the Marine Resource Area Biologist Program.		
<b>DEPARTMENT OF MARINE RESOURCES</b>		
<b>TOTAL</b>	<b>\$250,000</b>	<b>\$250,000</b>

