

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1489

H.P. 1120

House of Representatives, March 8, 2001

**Resolve, to Create a Task Force to Make Recommendations Regarding
Loss of Commercial Fishing Waterfront Access and Other Economic
Development Issues Affecting Commercial Fishing.**

(EMERGENCY)

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative ETNIER of Harpswell.
Cosponsored by Representatives: DUGAY of Cherryfield, MARLEY of Portland, McNEIL of
Rockland, TUTTLE of Sanford, VOLENIK of Brooklin, WHEELER of Eliot, Senators:
GOLDTHWAIT of Hancock, SMALL of Sagadahoc.

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,** it is necessary and vital to the people of the
State that Maine's fishing heritage be preserved; and

8 **Whereas,** this legislation will convene a task force to study
policies concerning the fishing industry; and

10
12 **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
14 necessary for the preservation of the public peace, health and
safety; now, therefore, be it

16 **Sec. 1. Task force established. Resolved:** That the Task Force to
18 Make Recommendations Regarding Loss of Commercial Fishing
Waterfront Access and Other Economic Development Issues Affecting
20 Commercial Fishing, referred to in this resolve as the "task
force," is established; and be it further

22 **Sec. 2. Task force membership. Resolved:** That the task force
24 consists of the following 10 members appointed jointly by the
presiding officers of the Legislature:

26 1. Two members of the Legislature, one of whom serves on
the Joint Standing Committee on Marine Resources;

30 2. Four members representing the fishing industry;

32 3. Two members representing state agencies that regulate
the fishing industry; and

34 4. Two members of the general public, one of whom
36 represents municipal government; and be it further

38 **Sec. 3. Chair. Resolved:** That the task force shall elect a
chair from among its members at the first task force meeting; and
40 be it further

42 **Sec. 4. Appointments; meetings. Resolved:** That all
appointments must be made no later than 30 days following the
44 effective date of this resolve. The Executive Director of the
Legislative Council must be notified by all appointing
46 authorities once the selections have been made. When the
appointment of all members has been completed, the chair of the
48 Legislative Council or the chair's designee shall call and
convene the first meeting of the task force no later than 15 days
50 after the final member is appointed; and be it further

2 **Sec. 5. Duties. Resolved:** That the task force shall review
4 current policy regarding the State's fishing industry and make
6 recommendations to preserve the fishing industry. Specifically,
8 the task force shall address the following issues:

10 1. Waterfront access for commercial fisheries, including
12 zoning restrictions, municipal comprehensive plans, current-use
14 taxation, smart growth, set asides and right-to-fish issues; and

16 2. Economic development, including incentives and
18 disincentives, taxation policies, promotion and marketing issues,
20 financing and workforce development; and be it further

22 **Sec. 6. Staffing. Resolved:** That, upon approval of the
24 Legislative Council, the Office of Policy and Legal Analysis
26 shall provide staffing services to the task force, with secondary
28 staffing provided by the Department of Marine Resources and the
30 State Planning Office; and be it further

32 **Sec. 7. Compensation. Resolved:** That the members of the task
34 force who are Legislators are entitled to the legislative per
36 diem, as defined in the Maine Revised Statutes, Title 3, section
38 2, and reimbursement for necessary expenses incurred for their
40 attendance at authorized meetings of the task force. Other
42 members of the task force who are not otherwise compensated by
44 their employers or other entities that they represent are
46 entitled to receive reimbursement of necessary expenses incurred
48 for their attendance at authorized meetings; and be it further

Sec. 8. Report. Resolved: That the task force shall submit
its report, together with any recommended implementing
legislation, to the Joint Standing Committee on Marine Resources
no later than January 2, 2002. The Joint Standing Committee on
Marine Resources may report out a bill during the Second Regular
Session of the 120th Legislature concerning the findings and
recommendations of the task force. If the task force requires an
extension of time to complete its report, it may apply to the
Legislative Council, which may grant the extension; and be it
further

Sec. 9. Task force budget. Resolved: That the chair of the task
force, with assistance from the task force staff, shall
administer the task force's budget. Within 10 days after its
first meeting, the task force shall present a work plan and
proposed budget to the Legislative Council for its approval. The
task force may not incur expenses that would result in the task
force's exceeding its approved budget.

2 Upon request from the task force, the Executive Director of the
Legislative Council or the executive director's designee shall
4 promptly provide the task force chair and staff with a status
report on the task force's budget, expenditures incurred and paid
and available funds.

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

10

SUMMARY

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14 This resolve establishes the Task Force to Make
Recommendations Regarding Loss of Commercial Fishing Waterfront
Access and Other Economic Development Issues Affecting Commercial
16 Fishing.