

MAINE STATE LEGISLATURE

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Date: 5/21/07

L.D. 847
(Filing No. H-278)

MARINE RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 646, L.D. 847, Bill, "An Act To Support the Commercial Groundfish Industry"

Amend the bill by striking out everything after the title and inserting the following:

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

Whereas, the groundfish industry is on the verge of collapse in Maine and unless immediate action is taken by the Legislature the industry may not be able to sustain itself until groundfish stocks have rebounded enough to once again support one of Maine's most important traditional fisheries; and

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 necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §6137 is enacted to read:

§6137. Groundfish industry incentive program

A groundfish industry incentive program, referred to in this section as "the program," is established within the department. The commissioner shall implement and administer the program. The program is limited to a groundfish vessel that lands and sells at least 90% of its catch in this State. The commissioner may waive the 90% requirement if the commissioner determines that weather conditions, equipment failure, illness or federal requirements prevented a vessel from meeting this requirement. Upon a vessel's application to the commissioner and documentation of eligibility, the commissioner shall provide to the qualifying vessel the rebates described in this section:

COMMITTEE AMENDMENT

12/18

COMMITTEE AMENDMENT "A" to H.P. 646, L.D. 847

1 1. Ice. A rebate for the cost of ice purchased from an ice vendor located in this State
2 for purposes related to groundfish fishing;

3 2. Transportation. A rebate for the cost of transporting or shipping to Portland,
4 Maine fish landed in this State; and

5 3. Fish handling. A rebate for the handling costs of groundfish landed in this State.
6 This section is repealed June 1, 2010.

7 **Sec. 2. 36 MRSA §1760, sub-§8, ¶D** is enacted to read:

8 D. Distillates, as defined in section 3202, bought and used for the purpose of
9 operating or propelling a commercial groundfish boat.

10 This paragraph is repealed June 1, 2010.

11 **Sec. 3. Appropriations and allocations.** The following appropriations and
12 allocations are made.

13 **MARINE RESOURCES, DEPARTMENT OF**

14 **Division of Administrative Services 0258**

15 Initiative: Appropriates funds to be paid as rebates to Maine-based commercial
16 groundfish vessels for ice costs, transportation fees and groundfish handling service fees.

17	GENERAL FUND	2007-08	2008-09
18	All Other	\$2,800,000	\$3,250,000
19			
20	GENERAL FUND TOTAL	<u>\$2,800,000</u>	<u>\$3,250,000</u>

21 **Emergency clause.** In view of the emergency cited in the preamble, this
22 legislation takes effect when approved.'

23 **SUMMARY**

24 This amendment replaces the bill, which was a concept draft, and is an emergency
25 measure. It establishes a groundfish industry incentive program within the Department of
26 Marine Resources. The program provides groundfish vessels that land and sell at least
27 90% of their catch in the State with rebates on ice purchased in this State and handling
28 and transportation costs for groundfish landed in this State and exempts these groundfish
29 vessels from the fuel sales tax. The amendment also provides an appropriations and
30 allocations section. The groundfish industry incentive program and the fuel tax
31 exemption are repealed June 1, 2010.

32 **FISCAL NOTE REQUIRED**
33 (See attached)

COMMITTEE AMENDMENT



123rd MAINE LEGISLATURE

LD 847

LR 2321(02)

An Act To Support the Commercial Groundfish Industry

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Marine Resources
Fiscal Note Required: Yes

Fiscal Note

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
Net Cost (Savings)				
General Fund	\$3,022,970	\$3,477,429	\$4,220,379	\$0
Appropriations/Allocations				
General Fund	\$2,800,000	\$3,250,000	\$4,000,000	\$0
Revenue				
General Fund	(\$222,970)	(\$227,429)	(\$220,379)	\$0
Other Special Revenue Funds	(\$12,230)	(\$12,475)	(\$12,088)	\$0

Fiscal Detail and Notes

Exempting from the sales tax certain fuel used in commercial groundfishing will reduce General Fund revenue by an estimated \$222,970 in fiscal year 2007-08 and \$227,429 in fiscal year 2008-09. In addition, the bill includes General Fund appropriations of \$2,800,000 and \$3,250,000 in fiscal years 2007-08 and 2008-09, respectively, to the Department of Marine Resources to provide rebates to certain commercial groundfish vessels.