

MAINE STATE LEGISLATURE

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L.D. 1898

2 Date: 3-23-22

(Filing No. H-828)

MAJORITY

3 MARINE RESOURCES

4 Reproduced and distributed under the direction of the Clerk of the House.

5 STATE OF MAINE
6 HOUSE OF REPRESENTATIVES
7 130TH LEGISLATURE
8 SECOND REGULAR SESSION

9 COMMITTEE AMENDMENT "A" to H.P. 1405, L.D. 1898, "An Act To Address
10 the Economic Impact of Federal Closures on Maine's Fixed Gear Fishing Industry"

11 Amend the bill by striking out everything after the enacting clause and inserting the
12 following:

13 **Sec. 1. Fund established.** The Atlantic Large Whale Take Reduction Plan Impact
14 Fund, referred to in this Act as "the fund," is established as a nonlapsing fund within the
15 Department of Marine Resources to mitigate negative financial impacts experienced by
16 individuals and businesses involved in the State's fixed gear fishing industry resulting from
17 the amendment of 50 Code of Federal Regulations, Sections 229.2, 229.32 and 697.21
18 published in 86 Federal Register, 52011 to 52024 (2021).

19 **Sec. 2. Report.** The Department of Marine Resources shall report on the status of
20 the fund by January 15, 2023 to the joint standing committee of the Legislature having
21 jurisdiction over marine resources matters. The report must include the amount of funds
22 distributed to each recipient, the number of recipients and the results achieved or negative
23 impact mitigated. The joint standing committee may report out a bill based on the report to
24 the 131st Legislature in 2023.

25 **Sec. 3. Transfer.** Notwithstanding any provision of law to the contrary, on or before
26 June 30, 2022, the State Controller shall transfer \$30,000,000 from the unappropriated
27 surplus of the General Fund to the Department of Marine Resources, Atlantic Large Whale
28 Take Reduction Plan Impact Fund program, Other Special Revenue Funds account.

29 **Sec. 4. Eligibility criteria.** To be eligible to receive money from the fund, an
30 individual must:

- 31 1. Be a resident of the State;
- 32 2. Have held a Class I, Class II or Class III lobster and crab fishing license pursuant to
33 the Maine Revised Statutes, Title 12, section 6421 in each of the past 3 calendar years; and
- 34 3. Have purchased at least 400 lobster trap tags during 2 of the past 3 calendar years.

COMMITTEE AMENDMENT

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Sec. 5. Fund distribution. The Department of Marine Resources shall distribute money from the fund to eligible individuals as follows:

1. An eligible individual with an annual landed value of lobster from \$10,000 to \$25,000 during 2 of the past 3 calendar years is entitled to receive the base amount as determined by the department;

2. An eligible individual with an annual landed value of lobster exceeding \$25,000 during 2 of the past 3 calendar years is entitled to receive 2 times the base amount as determined by the department; and

3. An eligible individual with an annual landed value of lobster exceeding \$25,000 during 2 of the past 3 calendar years who holds both a state and federal lobster permit at the time of distribution is eligible to receive 3 times the base amount as determined by the department.

An eligible individual is entitled to only one distribution.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

MARINE RESOURCES, DEPARTMENT OF

Atlantic Large Whale Take Reduction Plan Impact Fund N944

Initiative: Provides one-time allocations for grants to individuals and businesses involved in the State's fixed gear fishing industry to mitigate negative financial impacts experienced as a result of the United States Department of Commerce, National Oceanic and Atmospheric Administration regulations resulting from the Atlantic Large Whale Take Reduction Plan. No more than \$210,000 of the funds may be used by the Department of Marine Resources for administrative costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$29,999,500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$29,999,500</u>	<u>\$500</u>

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment, which replaces the bill, moves the Atlantic Large Whale Take Reduction Plan Impact Fund into unallocated law to reflect the one-time allocation of money from the fund and adds eligibility criteria for receipt of funds and instructions on distribution of funds by the Department of Marine Resources. It also provides a minimum amount of funding to cover the department's administrative costs.

FISCAL NOTE REQUIRED

(See attached)



130th MAINE LEGISLATURE

LD 1898

LR 2313(02)

An Act To Address the Economic Impact of Federal Closures on Maine's Fixed Gear Fishing Industry

Fiscal Note for Bill as Amended by Committee Amendment *(H-828)*

Committee: Marine Resources

Fiscal Note Required: Yes

Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Net Cost (Savings)				
General Fund	\$30,000,000	\$0	\$0	\$0
Appropriations/Allocations				
Other Special Revenue Funds	\$29,999,500	\$500	\$0	\$0
Transfers				
General Fund	(\$30,000,000)	\$0	\$0	\$0
Other Special Revenue Funds	\$30,000,000	\$0	\$0	\$0

Fiscal Detail and Notes

This bill establishes the Atlantic Large Whale Take Reduction Plan Impact Fund within the Department of Marine Resources (DMR) to mitigate negative financial impacts experienced by individuals and businesses involved in the State's fixed-gear fishing industry. The bill transfers \$30,000,000 in fiscal year 2021-22 from the unappropriated surplus of the General Fund to the fund. The bill includes accompanying allocations of \$29,999,500 in fiscal year 2021-22 and \$500 in fiscal year 2022-23 to allow disbursement of the funds to individuals and businesses who meet the eligibility criteria.