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Date: (Filing No. H-)

MARINE RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION**

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

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

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

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

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

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

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

COMMITTEE AMENDMENT

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

3 1. An eligible individual with an annual landed value of lobster from \$10,000 to
4 \$25,000 during 2 of the past 3 calendar years is entitled to receive the base amount as
5 determined by the department;

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

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

13 An eligible individual is entitled to only one distribution.

14 **Sec. 6. Appropriations and allocations.** The following appropriations and
15 allocations are made.

16 **MARINE RESOURCES, DEPARTMENT OF**

17 **Atlantic Large Whale Take Reduction Plan Impact Fund N944**

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

24 OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
25 All Other	\$29,999,500	\$500
26		
27 OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$29,999,500</u>	<u>\$500</u>

28
29 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
30 number to read consecutively.

31 **SUMMARY**

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

37 **FISCAL NOTE REQUIRED**

38 (See attached)