



Matthea Elisabeth Larsen Daughtry
President of the Senate

THE MAINE SENATE
132nd Legislature

3 State House Station
Augusta, Maine 04333

May 12, 2025

***Testimony of Senate President Mattie Daughtry introducing
LD 1864, "An Act to Facilitate the Reconstruction of Storm-damaged Commercial Fisheries
Facilities and Infrastructure"
Before the Joint Standing Committee Housing and Economic Development***

Senator Curry, Representative Gere, and esteemed members of the Housing and Economic Development Committee, my name is Mattie Daughtry, and I proudly serve as the President of the Maine State Senate, representing Senate District 23, which includes Brunswick, Freeport, Harpswell, Pownal, Chebeague Island, and part of Yarmouth. I am here today to present LD 1864, "An Act to Facilitate the Reconstruction of Storm-Damaged Commercial Fisheries Facilities and Infrastructure." This bill comes to us as an urgent request from the Harpswell town manager, who has highlighted significant concerns faced by our local fishermen in the wake of recent severe storms.

As many of you are aware, the storms that occurred during the 2023-2024 winter caused extensive damage to various structures, including docks, piers, and wharves that are crucial to our fishermen's livelihoods. Many of these structures are located along our coast in areas where further development is no longer permitted. They had been grandfathered in, which is a typical practice in our zoning and regulatory framework. To rebuild these structures, owners now need to seek a variance from existing laws related to shoreline and floodplain management.

However, the current law in Maine requires individuals seeking a variance to demonstrate that their property yields no "reasonable return" to qualify for assistance. This standard is meant to assess whether land-use regulations are overly restrictive. If property owners can show that regulations prevent them from achieving a reasonable return on their investment, they may be eligible for a variance, allowing them to deviate from strict zoning requirements. This requirement poses challenges, particularly in industries like aquaculture and fishing, where significant infrastructure close to the shoreline is often necessary.

This situation is evident in Harpswell. After the winter storms, much of the essential fishing infrastructure was destroyed. When seeking a variance, it's possible for the land to yield a fair return on investment if converted to alternative recreational uses. This could force the fishermen who have relied on this area for generations to sell their land or abandon their family business altogether. Given these unique circumstances, the town of Harpswell is asking for our support to pass this narrowly tailored law.

The town has been proactive in seeking solutions for its fishermen, doing everything they can to

help them recover. While they are exploring various approaches, they recognize that navigating the Federal Emergency Management Agency processes can be time-consuming, complicated, and uncertain. Without a timely variance, fishermen risk losing critical federal emergency disaster funding, which is set to expire this fall.

LD 1864 directly addresses this issue by allowing individual fishermen and business owners whose docks, piers, or wharves were damaged by the storms to be granted a variance from the shoreland zoning ordinance and floodplain management ordinance in Harpswell, regardless of whether their damage meets the “reasonable return” standard. This will enable our fishermen to conduct necessary repairs quickly and access available federal funds following the emergency declaration.

By passing this legislation, we not only respond to the immediate needs of this community but also affirm our commitment to supporting the backbone of our coastal economy. The fishing industry is integral to Maine’s identity and character, and we cannot afford to ignore the challenges facing our fishermen during these trying times.

I urge each of you to support LD 1864 to ensure that we provide our fishermen with the resources and support they need to recover and thrive.

Thank you for your time and I’d be happy to answer any questions you may have.