

# MAINE STATE LEGISLATURE

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One Hundred and Twenty-Third Legislature

State of Maine

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WHEREAS, in the last half century, the groundfish stock within the Gulf of Maine has suffered a sad depletion and has not rebounded as it has in other regions, which threatens the economy of Maine's historic fishing communities and inflicts economic hardship on Maine's remaining groundfishing families today; and

WHEREAS, as an indicator of this decline, in the 10 years from 1996 to 2006 the State's active federal fishery permits have declined from 165 to 91, a 45% decline; and

WHEREAS, except for a few businesses left in Portland and Port Clyde that are barely surviving, the State of Maine has lost the shoreside firms that support the groundfish, including ice suppliers, fish buyers and processors, fishing gear shops, bait suppliers, boat repair businesses and trucking firms, and the accompanying added value; and

WHEREAS, the loss of fish and the loss of fishing livelihoods and shoreside business have occurred under the current approach to management, which limits the days fishermen may go to sea, known as "Days at Sea"; and

WHEREAS, "Days at Sea" alone has not, in the judgment of your Memorialists, achieved the primary goal of fisheries management: to ensure the long-term regeneration of an abundance of groundfish in the Gulf of Maine and in the New England region and to thus rebuild the equitable redistribution of our fishery resource among fishing communities and economies; and

WHEREAS, the New England Fishery Management Council requested public proposals for alternative systems of management for the New England fishery to provide for a more sustainable, renewable and equitable distribution of our historic fishery resource; and

WHEREAS, we must take every action possible to bring back the abundance of groundfish to the whole Gulf of Maine, to contribute to the rebuilding of groundfish throughout the New England region and to benefit coastal communities; and

WHEREAS, the region's fishing grounds do possess the ability to recover to historic levels of productivity, and it is necessary to preserve Maine fishermen's opportunities to continue to fish when groundfish stocks are recovered; and

WHEREAS, many Maine communities have lost much of their access to the groundfish industry, and the ongoing erosion of federal groundfish permits and "Days at Sea" have severely restricted the ability of Maine permit holders to fish at all; so few days remaining, as a practical matter, rendering the permits useless and restricting the rights of Maine citizens to fish; and

WHEREAS, community-based initiatives including establishing sectors, permit banking and area management hold a great future hope for recovery of the resource, recognizing as they do the ecological differences between ocean regions and species and emphasizing alignment of economic, ecological and sustainable harvesting interests to ensure a long-term recovery of the fishing business in New England; and

WHEREAS, we cannot sit by and permit our heritage to be lost on our watch and our communities removed from their connection with the sea; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the New England Fishery Management Council commit to establishment of an equitable future distribution and allocation of permits to all qualified Maine fishermen when stocks rebound, to ensure that the benefit of rebuilt groundfish stocks accrued to all Maine fishermen; and be it further

RESOLVED: That We, your Memorialists, request that the allocation process support not only individual permitted fishermen, but also traditional fishing communities and nonprofit community efforts intended to sustain our fisheries and the fishing way of life; and be it further

RESOLVED: That We, your Memorialists, request that the delegates from the State of Maine to the 2008 New England Fisheries Management Council support and actively work for an equitable allocation of future permits to qualified Maine fishermen when stocks rebound, to share the benefit with all Maine fishermen; to ensure that the allocation process benefits both individuals and communities; and to advocate for effective groundfish management through community-based initiatives including establishing sectors, permit banking and area management to benefit all who in days to come shall "go down to the sea in ships, and do business upon the great waters"; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to John Pappalardo, Chairman of the New England Fishery Management Council, Rip Cunningham, Chairman of the Multispecies (Groundfish) Committee, Paul Howard, Executive Director of the New England Fishery Management Council, Pat Kurkul, Regional Director of the National Marine Fisheries Service and to each member of the New England Fishery Management Council and each Member of the Maine Congressional Delegation.

Comes from the House, **READ** and **ADOPTED**.

**READ** and **ADOPTED**, in concurrence.

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## REPORTS OF COMMITTEES

### House

#### Ought to Pass As Amended

The Committee on **JUDICIARY** on Bill "An Act To Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY)  
H.P. 1615 L.D. 2252

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-1036)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1036) AND HOUSE AMENDMENTS "A" (H-1037), "B" (H-1038) AND "C" (H-1044).**

Report **READ** and **ACCEPTED**, in concurrence.

**READ ONCE.**

Committee Amendment "A" (H-1036) **READ** and **ADOPTED**, in concurrence.

House Amendment "A" (H-1037) **READ** and **ADOPTED**, in concurrence.

House Amendment "B" (H-1038) **READ** and **ADOPTED**, in concurrence.

House Amendment "C" (H-1044) **READ** and **ADOPTED**, in concurrence.

On motion by Senator **HOBBS** of York, Senate Amendment "A" (S-680) **READ.**

**THE PRESIDENT:** The Chair recognizes the Senator from York, Senator Hobbins.

Senator **HOBBS:** Thank you, Madame President. This is an inadvertent error that occurred and this amendment adds the Chair of the Shellfish Advisory Council as a member of the Marine Resources Advisory Council. I know that the good Senator who is right next to me from Hancock can answer any questions you might have about this. Thank you.

On motion by Senator **HOBBS** of York, Senate Amendment "A" (S-680) **ADOPTED.**

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-103) AND HOUSE AMENDMENTS "A" (H-1037); "B" (H-1038); "C" (H-1044) AND SENATE AMENDMENT "A" (S-680),** in **NON-CONCURRENCE.**

Ordered sent down forthwith for concurrence.

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All matters thus acted upon were ordered sent down forthwith for concurrence.

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Senate at Ease.

Senate called to order by the President.

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**ORDERS OF THE DAY**

On motion by Senator **ROTUNDO** of Androscoggin, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

**Resolve**

Resolve, To Conduct an Updated Study of the Feasibility of Establishing a Single-payor Health Care System in the State  
H.P. 790 L.D. 1072  
(H "A" H-662 to C "A" H-644)

Tabled - April 16, 2008, by Senator **ROTUNDO** of Androscoggin

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, April 16, 2008, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-644) AS AMENDED BY HOUSE AMENDMENT "A" (H-662)** thereto.)

(In House, April 16, 2008, **FINALLY PASSED.**)

**FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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On motion by Senator **ROTUNDO** of Androscoggin, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Allow Blended Sentencing for Certain Juveniles  
S.P. 691 L.D. 1897  
(C "B" S-415)

Tabled - March 4, 2008, by Senator **ROTUNDO** of Androscoggin

Pending - **ENACTMENT**, in concurrence

(In Senate, February 14, 2008, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-415).**)

(In House, February 28, 2008, **PASSED TO BE ENACTED.**)

**PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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On motion by Senator **ROTUNDO** of Androscoggin, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Bring Maine into Compliance with Federal Law Regarding Purchases of Firearms by Persons Found To Be a Danger to Themselves or Others

H.P. 1336 L.D. 1902  
(H "A" H-1007 to  
C "B" H-941)

Tabled - April 15, 2008, by Senator **ROTUNDO** of Androscoggin