

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P.
1541, L.D. 2126, Bill, "An Act to Establish Licensing
Requirements and a Cooperative Monitoring Program for Mahogany
Quahogs"

Amend the amendment by inserting after the title the
following:

'Amend the bill by striking out all of the title and
inserting in its place the following:

'An Act to Ensure the Adequate Testing of Mahogany Quahogs for
Paralytic Shellfish Poisoning and the Study of Aquaculture in
Maine'

Further amend the amendment in the first line after the
title (page 1, line 17 in amendment) by striking out the
following: "Amend" and inserting in its place the following:
'Further amend'

Further amend the amendment in section 3 in subsection 5 in
the first line (page 2, line 2 in amendment) by striking out the
following: "shall" and inserting in its place the following:
'may'

Further amend the amendment in section 4 in that part
designated "§6731-A." in subsection 2 in the 2nd line (page 2,
line 24 in amendment) by striking out the following: "an
industry-based" and inserting in its place the following: 'a
volunteer industry-based'

Further amend the amendment in section 4 in that part
designated "§6731-A." in subsection 2 in the 3rd line from the
end (page 2, line 28 in amendment) by striking out the
following: "assigned to" and inserting in its place the
following: 'who have volunteered for'

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Further amend the amendment in section 4 in that part designated "~~§6731-A.~~" in subsection 2 by striking out all of the last sentence.

Further amend the amendment in section 4 in that part designated "~~§6731-A.~~" by striking out all of subsection 4 and inserting in its place the following:

'4. Rules. The commissioner may adopt rules, in accordance with the Maine Administrative Procedure Act, necessary to achieve the intent of this section.'

Further amend the amendment by striking out all of the fiscal note and inserting in its place the following:

Sec. 5. Study authorized; purpose. The Joint Standing Committee on Marine Resources shall conduct a study of the aquaculture industry in the State. Aquaculture is a rapidly growing industry with potentially significant effects on the State's environment and economy. The purpose of the study is to review the adequacy of the laws that govern the monitoring and control of the effects on the environment from aquaculture and to review state policies on the development of aquaculture.

Sec. 6. Duties. The committee shall study, without limitation, the following issues.

1. The environmental effects likely to be associated with aquaculture in this State and the adequacy of laws and rules designed to protect the environment from potential adverse affects, including:

A. The potential effects of net-pen aquaculture on native fish populations;

B. The various roles and the adequacy of state and federal programs that monitor aquaculture projects; and

C. A review of the Department of Marine Resources study on monitoring of aquaculture that is scheduled for completion in July 1990; and

2. The current and potential economic impacts of existing state policy on the aquaculture industry and proposed policies for the further development of the aquaculture industry in the State.

Sec. 7. Meetings. The committee shall meet at the call of the chairs. No more than 5 meetings may be held. Two meetings may be public hearings. The committee shall hold its first meeting within 10 days of the effective date of this Act.

Sec. 8. Report. The committee shall complete its work by November 15, 1990 and present its findings, together with any proposed legislation, by November 30, 1990 to the Executive Director of the Legislative Council for transmittal to the First Regular Session of the 115th Legislature.

Sec. 9. Reimbursement. Members of the committee are entitled to per diem and expenses upon application to the Executive Director of the Legislative Council.

Sec. 10. Staff. The committee may request staff assistance from the Legislative Council.

Sec. 11. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1990-91

LEGISLATURE

Study Commissions - Funding

Personal Services	\$3,575
All Other	5,750

Provides funds for per diem, travel and related expenses of the Joint Standing Committee on Marine Resources' study of the aquaculture industry.

**LEGISLATURE
TOTAL**

\$9,325

MARINE RESOURCES, DEPARTMENT OF

Marine Development, Bureau of

All Other	(\$9,325)
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Provides for the deappropriation of funds resulting from cost savings anticipated from

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the mahogany quahog sample collection
monitoring program.

DEPARTMENT OF MARINE RESOURCES
TOTAL

(\$9,325)

TOTAL APPROPRIATIONS

0

FISCAL NOTE

Enactment of this bill would result in:

1. A potential increase in General Fund revenue in an amount that can not be determined at this time. This increase in General Fund revenue is based on the establishment of a new, separate license for quahogs and basically depends on how many harvesters would obtain both a scallop license and a new quahog license. This increase in revenue is expected to range up to \$2,650 for fiscal year 1990-91;

2. A potential savings to the Department of Marine Resources. Currently the department expends approximately \$20,000 annually for contractually obtaining samples for red tide testing of quahogs. This proposed legislation offers a sample collection system that would allow voluntary participation of quahog licensees and therefore the cost is expected to be significantly less;

3. A potential cost to the Department of Marine Resources for rulemaking. However, the department has indicated that it would absorb any rulemaking costs using existing budgeted resources;

4. A General Fund appropriation to the Legislature in the amount of \$9,325 for fiscal year 1990-91. This appropriation would provide funds for expenses of the Joint Standing Committee on Marine Resources study of the aquaculture industry; and

5. A General Fund deappropriation to the Department of Marine Resources in the amount of \$9,325 for fiscal year 1990-91. This deappropriation provides funds resulting from cost savings anticipated from the mahogany quahog samples collection system.'

STATEMENT OF FACT

This amendment retains the mahogany quahog license, but establishes a voluntary process for mahogany quahog harvesters to

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2 assist the Department of Marine Resources' paralytic shellfish
toxin sampling program.

4 The amendment establishes a study by the Joint Standing
Committee on Marine Resources on the State's aquaculture
6 industry. The committee regards this study as essential to
educate committee members adequately about this controversial and
8 significant marine industry and to prepare the committee to make
sound recommendations to the Legislature regarding aquaculture.

10

12 This amendment alters the appropriation and the fiscal note
to reflect these changes.

14

Filed by Rep. Mitchell of Freeport
Reproduced and distributed under the direction of the Clerk of the
House
3/26/90 (Filing No. H-989)