

# MAINE STATE LEGISLATURE

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R. & S.

L.D. 1171

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DATE: April 21, 1999

(Filing No. S-114 )

**MARINE RESOURCES**

Reported by:

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**STATE OF MAINE  
SENATE  
119TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT " A " to S.P. 392, L.D. 1171, Bill, "An Act to Provide for Management of the Harvest of Seaweed"

Amend the bill by striking out all of section 1 and inserting in its place the following:

**Sec. 1. 12 MRSA §6803, sub-§1**, as enacted by PL 1989, c. 523, §2, is amended to read:

**1. Permit required.** It is unlawful for any person to harvest, possess, ship, transport or sell seaweed without a current seaweed permit ~~or--supplemental--seaweed--permit.~~ ---An, except that an employee or immediate relation of a seaweed permit holder may harvest, possess, ~~ship,~~ or transport ~~or-sell~~ seaweed for commercial purposes with a supplemental seaweed permit.

**Sec. 2. 12 MRSA §6803, sub-§3**, as amended by PL 1991, c. 591, Pt. T, §13, is further amended to read:

**3. Fees.** The fee schedule for seaweed permits is as follows:

A. ~~Ten~~ Fifty dollars for a resident seaweed permit;

B. ~~Eighty-four~~ Two hundred dollars for a nonresident seaweed permit; and

C. ~~Three~~ Twenty-five dollars for a resident supplemental seaweed permit; and

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COMMITTEE AMENDMENT "A" to S.P. 392, L.D. 1171

2 D. Fifty dollars for a nonresident supplemental seaweed  
4 permit.'

6 Further amend the bill in section 3 in that part designated  
8 "\$6804." in subsection 2 in the first line (page 1, line 30 in  
L.D.) by striking out the following: "may" and inserting in its  
place the following: 'shall'

10 Further amend the bill in section 3 in that part designated  
12 "\$6805." in the first paragraph in the 2nd line (page 1, line 45  
in L.D.) by inserting after the following: "seaweed" the  
14 following: 'on a species-specific basis'

16 Further amend the bill by inserting after section 3 the  
following:

18 '**Sec. 4. Report; legislation.** The Commissioner of Marine  
Resources shall submit a report by December 31, 1999 to the Joint  
20 Standing Committee on Marine Resources regarding seaweed permits  
and the Seaweed Management Fund. The report must include  
22 recommendations on the license and fee structures for seaweed  
permits and other potential sources of revenue to fund research  
24 on the State's seaweed resources.

26 The Joint Standing Committee on Marine Resources is  
authorized to report out legislation regarding seaweed permits  
28 and the Seaweed Management Fund to the Second Regular Session of  
the 119th Legislature.

30 **Sec. 5. Allocation.** The following funds are allocated from  
32 Other Special Revenue funds to carry out the purposes of this Act.

34 1999-00 2000-01

36 **MARINE RESOURCES, DEPARTMENT OF**

38 **Bureau of Resource Management**

40 All Other \$9,050 \$12,050

42 Provides for the allocation  
of funds to be used to  
44 research and manage seaweed  
resources and to enforce laws  
46 and rules related to seaweed.'

48 Further amend the bill by relettering or renumbering any  
nonconsecutive Part letter or section number to read  
50 consecutively.

**COMMITTEE AMENDMENT**

H. 48 B.

2 Further amend the bill by inserting at the end before the  
summary the following:

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**FISCAL NOTE**

10 **APPROPRIATIONS/ALLOCATIONS**

12	Other Funds	\$9,050	\$12,050
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14  
16 **REVENUES**

16	General Fund	(\$1,839)	(\$2,452)
18	Other Funds	9,050	12,050

20 The dedication of seaweed permit fees will reduce General  
Fund revenue by \$1,839 and \$2,452 in fiscal years 1999-00 and  
22 2000-01, respectively, and will increase dedicated revenue  
collections to the Department of Marine Resources by \$9,050 and  
24 \$12,050, respectively, for those same fiscal years. This bill  
includes Other Special Revenue funds allocations to the  
26 Department of Marine Resources in the amount of \$9,050 in fiscal  
year 1999-00 and \$12,050 in fiscal year 2000-01 to authorize  
28 expenditures from the newly established Seaweed Management Fund.

30 The additional costs associated with developing a plan,  
adopting rules and submitting the required report can be absorbed  
32 by the Department of Marine Resources utilizing existing budgeted  
resources.

34 This bill may increase prosecutions for Class D crimes. If  
36 a jail sentence is imposed, the additional costs to the counties  
are estimated to be \$82.48 per day per prisoner. These costs are  
38 not reimbursed by the State. The number of prosecutions that may  
result in a jail sentence and the resulting costs to the county  
40 jail system are expected to be insignificant.

42 The additional workload, administrative costs and indigent  
defense costs associated with the minimal number of new cases  
44 filed in the court system can be absorbed within the budgeted  
resources of the Judicial Department. The collection of  
46 additional fines may also increase General Fund revenue by minor  
amounts.'

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**SUMMARY**

This amendment adjusts the seaweed permit fees proposed in the bill by setting a lower fee for the resident seaweed permit and higher fees for the nonresident seaweed permit and the supplemental seaweed permit and establishing a nonresident supplemental seaweed permit. The amendment strikes shipping and selling from the list of activities that may be undertaken with a supplemental seaweed permit. It also specifies that the Commissioner of Marine Resources shall use the Seaweed Management Fund in accordance with an annual plan for expenditures.

The amendment clarifies that the commissioner may adopt rules regulating the harvest of seaweed on a species-specific basis.

The amendment requires the Commissioner of Marine Resources to submit a report by December 31, 1999 to the Joint Standing Committee on Marine Resources regarding seaweed permits and the Seaweed Management Fund. It also authorizes the Joint Standing Committee on Marine Resources to report out legislation regarding seaweed permits and the Seaweed Management Fund to the Second Regular Session of the 119th Legislature.

The amendment also adds an allocation section and a fiscal note to the bill.