

MAINE STATE LEGISLATURE

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M
R. of S.

L.D. 1388

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DATE: 4-7-03

(Filing No. S-28)

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MARINE RESOURCES

Reported by:

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**STATE OF MAINE
SENATE
121ST LEGISLATURE
FIRST REGULAR SESSION**

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COMMITTEE AMENDMENT "A" to S.P. 458, L.D. 1388, Bill, "An
Act To Expand the Mission of the Marine Patrol"

22 Amend the bill by striking out everything after the title
24 and before the summary and inserting in its place the following:

26 **Emergency preamble. Whereas,** Acts of the Legislature do not
28 become effective until 90 days after adjournment unless enacted
as emergencies; and

30 **Whereas,** since September 11, 2001, there has been a
32 recognized need for increased homeland security, including
improved protection of the nation's coasts; and

34 **Whereas,** it is in the best interest of the State to protect
36 its ports, the flow of commerce and the marine transportation
system from terrorism; and

38 **Whereas,** Maine's Marine Patrol is the only maritime resource
40 available to assist the United States Coast Guard in providing
safety and security services; and

42 **Whereas,** in the judgment of the Legislature, these facts
44 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore,

COMMITTEE AMENDMENT

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 12 MRSA §6029-A** is enacted to read:

6 **§6029-A. Safety and security services**

8 **1. Enforcement of federal safety and security zones.** At the request of and as expressly provided by the United States Coast Guard in accordance with federal law, marine patrol officers may assist the United States Coast Guard in the enforcement of safety and security zones established by the United States Coast Guard Captain of the Port for Maine. Marine patrol officers may take all action necessary to assist the United States Coast Guard in enforcing security and safety zones to the extent authorized by the United States Coast Guard.

18 **2. Memorandum of agreement.** Prior to engaging in the activities authorized under this section, the Bureau of Marine Patrol must enter into a memorandum of agreement with the United States Coast Guard that establishes the appropriate procedures and protocols for enforcement activities authorized under this section. Any funds received from the Federal Government for reimbursement to the State for activities authorized under this section must be deposited in the watercraft fund pursuant to section 7910, subsection 9, paragraph D.

28 **Sec. 2. 12 MRSA §6052, sub-§3,** as enacted by PL 1977, c. 661, §5, is amended to read:

30 **3. Marketing.** Serve as the primary state agency providing promotional and marketing assistance to the commercial fishing industries, including assisting in marketing seafood, stimulating of consumer interest in and consumption of seafood, increasing the sales of seafood domestically and abroad, supporting and expanding existing markets and developing new markets for traditional and underutilized species; and

38 **Sec. 3. 12 MRSA §6052, sub-§4, ¶D,** as enacted by PL 1991, c. 40 285, §3, is amended to read:

42 **D.** Establishing a marine research revolving fund for soliciting and receiving funds for conducting marine research. A marine research fund established under this paragraph may be used only for research purposes set forth under paragraphs A and B and may not be used for research specific to any one company; and

48 **Sec. 4. 12 MRSA §6052, sub-§5** is enacted to read:

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5. Safety and security services. Provide safety and security services in the coastal waters of the State. The department shall coordinate with other local, state and federal agencies when the department provides such safety and security services.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.'

SUMMARY

This amendment, which is the majority report of the Joint Standing Committee on Marine Resources, replaces the bill and:

- 1. Authorizes the Department of Marine Resources to provide safety and security services in the coastal waters of the State and requires the department to coordinate these services with local, state and federal agencies;
- 2. Authorizes marine patrol officers to assist the United States Coast Guard in enforcing federal safety and security zones;
- 3. Requires the Department of Marine Resources, Bureau of Marine Patrol to enter into a memorandum of agreement with the United States Coast Guard before providing assistance in enforcing safety and security zones;
- 4. Dedicates federal funds received as reimbursement for the assistance of marine patrol officers in enforcing federal safety and security zones to the watercraft fund of the Department of Marine Resources; and
- 5. Adds an emergency preamble and emergency clause to the bill.

FISCAL NOTE REQUIRED
(See attached)

121st Maine Legislature
Office of Fiscal and Program Review



LD 1388

An Act to Expand the Mission of the Marine Patrol

LR 1904(02)

Fiscal Note for Bill as Amended by Committee Amendment "A" S-28

Committee: Marine Resources

Fiscal Note Required: Yes

Fiscal Note

Current biennium revenue increase - Other Special Revenue

Minor cost increase - General Fund

Fiscal Detail and Notes

Authorizing that any reimbursement received from the Federal Government for certain newly authorized assistance provided by the Bureau of Marine Patrol within the Department of Marine Resources be deposited into the Watercraft Fund as dedicated revenue may increase revenues collected by the department for this fund; the amounts can not be determined at this time.