### MAINE STATE LEGISLATURE

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		L.D. 1680
2	DATE: H.I. UH	(Filing No. S-483
4	DAIL.	(FITING NO. 35 7 400
6	MARIN	E RESOURCES
8	Reported by:	nority
10	Reproduced and distributed un of the Senate.	nder the direction of the Secretary
12	CURD A 700	E OE MAINE
14	S	E OF MAINE SENATE LEGISLATURE
16	SECOND S	PECIAL SESSION
18	COMMITTEE AMENDMENT "A	to S.P. 612, L.D. 1680, Bill, "An
20		Standards and Course Requirements"
22	<del>-</del>	ng out everything after the enacting
24	following:	· · · · · · · · · · · · · · · · · · ·
26	'Sec. 1. 38 MRSA §1-A is e	nacted to read:
28	§1-A. Harbor master training	
30	A person may not serve as meets the requirements of this	s a harbor master unless that person section.
32	1 Postalkian Pan na	
34		urposes of this section, "harbor nted by a municipality pursuant to
31	section 1 or Title 12, section	
36		
		<u>e Department of Marine Resources in</u>
38		artment of Inland Fisheries and
40		l <u>Justice Academy and a statewide</u> shall develop a basic harbor master
		ification training course no later
42	than January 1, 2005.	·
44	3 Cortification require	ments. A person may not serve as a
44		person is certified by the Maine
46	· · · · · · · · · · · · · · · · · · ·	aving successfully completed a basic
		developed under this section within

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one year of January 1, 2005 or within one year of that person's

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COMMITTEE	AMENDMENT	' <b>/</b> 7'	to	S.P.	612,	L.D.	1680

	appointment as a harbor master. A certified harbor master must
2	successfully complete a recertification course every 3 years from the date of that person's original certification.
4	
6	4. Other training requirements. This section may not be construed to limit or replace any other provision of law.
8	5. Rules. The Department of Marine Resources may adopt
	rules necessary for the administration of this section. Rules
10	adopted pursuant to this subsection are routine technical rules
	as defined in Title 5, chapter 375, subchapter 2-A.
12	
	6. Municipal authority. A municipality may establish harbor
14	master training requirements in addition to those required in
	this section unless the municipality's requirements conflict with
16	the purposes of this section.
1.0	7 Mariata for and provided costs 3 municipality of
18	7. Training fees and associated costs. A municipality at its sole discretion may reimburse a person seeking certification
20	or recertification under this section for training fees or other
20	costs associated with certification or recertification. Nothing
22	in this section may be construed to impose the costs associated
<i></i>	with certification or recertification of a harbor master on a
24	municipality.
26 28	Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.  MARINE RESOURCES, DEPARTMENT OF
	appropriations and allocations are made.  MARINE RESOURCES, DEPARTMENT OF
28 30	appropriations and allocations are made.
28	appropriations and allocations are made.  MARINE RESOURCES, DEPARTMENT OF  Bureau of Marine Patrol 0029
28 30 32	appropriations and allocations are made.  MARINE RESOURCES, DEPARTMENT OF  Bureau of Marine Patrol 0029  Initiative: Appropriates funds for overtime costs that will be
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28 30 32 34	appropriations and allocations are made.  MARINE RESOURCES, DEPARTMENT OF  Bureau of Marine Patrol 0029  Initiative: Appropriates funds for overtime costs that will be incurred to develop a harbor masters training course.
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28 30 32 34 36	appropriations and allocations are made.  MARINE RESOURCES, DEPARTMENT OF  Bureau of Marine Patrol 0029  Initiative: Appropriates funds for overtime costs that will be incurred to develop a harbor masters training course.
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28 30 32 34 36 38 40 <b>42</b>	appropriations and allocations are made.  MARINE RESOURCES, DEPARTMENT OF  Bureau of Marine Patrol 0029  Initiative: Appropriates funds for overtime costs that will be incurred to develop a harbor masters training course.  General Fund Personal Services \$0 \$5,000  General Fund Total  \$0 \$5,000  SUMMARY  This amendment is the minority report and replaces the bill. The amendment prohibits a person from serving as a harbor

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amendment also requires a certified harbor master to become



### COMMITTEE AMENDMENT A to S.P. 612, L.D. 1680

recertified every 3 years. The amendment directs the Department of Marine Resources in consultation with the Department of Inland Fisheries and Wildlife and the Maine Criminal Justice Academy and a statewide harbor masters' association to develop the basic and recertification harbor master training courses by January 1, 2005.

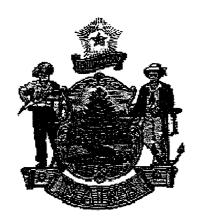
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FISCAL NOTE REQUIRED (See attached)

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# 121st Maine Legislature Office of Fiscal and Program Review

#### LD 1680

An Act To Establish Harbor Master Standards and Course Requirements

LR 2279(02)

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Transportation
Fiscal Note Required: Yes
Minority Report

#### **Fiscal Note**

Current Cost - State Mandate

	2003-04	2004-05	Projections 2005-06	Projections 2006-07
Net Cost (Savings)  General Fund	\$0	\$5,000	\$0	\$0
Appropriations/Allocations General Fund	. \$0	\$5,000	\$0	\$0

#### State Mandate

#### **New or Expanded Activity**

The requirement that a municipality can not employ a harbor master who has not been certified may necessitate municipal expenditures other than training costs. These may include going through the hiring process to hire someone who is certified or finding a way to accommodate the harbor master functions while a harbor master is being trained. Although the costs are not expected to be significant, this represents a state mandate pursuant to the Constitution of Maine.

## Unit Affected Costs Municipality Insignificant

#### **Fiscal Detail and Notes**

The Department of Marine Resources will incur additional expenses to develop a basic harbor master training course and will require a one-time General Fund appropriation of \$5,000 in fiscal year 2004-05.

The Maine Criminal Justice Academy within the Department of Public Safety can absorb the costs of offering a harbor master training course within existing budgeted resources.