

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST SPECIAL SESSION

HOUSE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 1422,
L.D. 2038, Bill, "An Act To Facilitate the Timely Reopening of Closed Clam Flats"

Amend the amendment in Part B by striking out all of sections 1 and 2 (page 3, lines 32 to 40 and page 4, lines 1 and 2 in amendment) and inserting the following:

Sec. B-1. Implementation of recommendations. The Department of Marine Resources, working with the federal Food and Drug Administration and interested parties, in consultation with the Shellfish Advisory Council under the Maine Revised Statutes, Title 12, section 6038, shall implement in an orderly fashion all recommendations of the review conducted pursuant to Resolve 2007, chapter 82; except that, for the recommendation of the review requiring additional staff to comply with the National Shellfish Sanitation Program model ordinance requirements, the Department of Marine Resources shall report by January 15, 2009 with a plan for implementing that recommendation to the joint standing committee of the Legislature having jurisdiction over marine resources matters.

Sec. B-2. Water quality test projects. The Department of Marine Resources shall undertake 2 or more projects within 18 months of the effective date of this Act under which a municipality contracts with a private laboratory, certified by the department, to conduct water quality tests. The department shall as part of the certification process request and review the past practices or service record for an entity that seeks to be certified by the department.'

Amend the amendment in Part B by striking out all of section 4.

SUMMARY

This amendment delays the implementation of the review concerning additional staff to comply with the National Shellfish Sanitation Program model ordinance requirements. It requires the Department of Marine Resources to report by January 15, 2009 with a plan

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1 to implement that recommendation. The amendment also increases by 6 months the time
2 during which the 2 or more water quality test projects must occur.

3 **FISCAL NOTE REQUIRED**

4 (See attached)

5 SPONSORED BY: 

6 (Representative GERZOFSKY)

7 TOWN: Brunswick



123rd MAINE LEGISLATURE

LD 2038

LR 3030(09)

An Act To Facilitate the Timely Reopening of Closed Clam Flats

Fiscal Note for House Amendment "*B*" to Committee Amendment "A"

Sponsor: Rep. Gerzofsky of Brunswick

Fiscal Note Required: Yes

Fiscal Note

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
Net Cost (Savings)				
General Fund	\$0	(\$80,671)	(\$206,619)	(\$210,831)
Appropriations/Allocations				
General Fund	\$0	(\$80,671)	(\$206,619)	(\$210,831)

Fiscal Detail and Notes

This amendment removes the appropriation of funds to the Department of Marine Resources and results in a General Fund savings in fiscal year 2008-09 of \$80,671. Additional costs to the Department of Marine Resources associated with developing a plan for implementing the recommendation requiring additional staffing for compliance with model ordinance requirements can be absorbed within existing budgeted resources.

This amendment also increases by six months the time the Department of Marine Resources has to undertake 2 or more projects in which a municipality contracts with a private laboratory, certified by the Department, to conduct water quality tests. The Department feels that the additional six months will allow these projects to be conducted within existing staffing levels. However, since these projects have not been performed previously, it is possible that once they are undertaken, it could be determined that they require more resources than anticipated, thus requiring resources to be shifted from existing programs and services.