

# MAINE STATE LEGISLATURE

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R O F S

L.D. 1654

Date: 3-19-12

(Filing No. S-449)

## MARINE RESOURCES

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### STATE OF MAINE

#### SENATE

#### 125TH LEGISLATURE

#### SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 553, L.D. 1654, Bill, "An Act To Establish the Seafood Export Certification Program "

Amend the bill by striking out the title and substituting the following:

**'An Act To Permit the Department of Marine Resources To Develop and Establish a Seafood Export Certification Program'**

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

**'Sec. 1. 12 MRSA §6101, sub-§2,** as amended by PL 1989, c. 57, §2, is further amended to read:

**2. Program.** The department ~~shall be~~ is the state agency ~~which shall be~~ that is responsible for cooperating with the Federal Government in developing and administering a voluntary fishery product inspection program. Notwithstanding section 6103, the commissioner may enter into agreements with the United States Department of Commerce, National Oceanic and Atmospheric Administration and seafood producers for the issuance of certificates of compliance necessary to meet international regulations and obtain reimbursement from the United States Department of Commerce, National Oceanic and Atmospheric Administration for the costs incurred by the department for the inspection and certification program.

**Sec. 2. Commissioner to develop a voluntary fishery product inspection program.** The Commissioner of Marine Resources, referred to in this section as "the commissioner," shall work with the United States Department of Commerce, National Oceanic and Atmospheric Administration to seek to develop a memorandum of understanding that establishes the appropriate procedures and protocols to allow the Department of Marine Resources to perform inspections for the voluntary fishery product inspection program under the Maine Revised Statutes, Title 12, section 6101.

**1. Research.** The commissioner shall consider the following:

- 1 A. The number of and location of staff positions required to carry out the voluntary
- 2 fishery product inspection program, taking into account the number of inspections
- 3 currently taking place, how often inspections are required and the location of the
- 4 majority of the inspection activity;
- 5 B. A mechanism to fund inspector training and the inspection period prior to
- 6 receiving reimbursement from the National Oceanic and Atmospheric Administration
- 7 and whether the funding could be covered using existing resources; and
- 8 C. Whether the voluntary fishery product inspection program would save costs and
- 9 increase flexibility compared to existing National Oceanic and Atmospheric
- 10 Administration inspections.

11 **2. Report.** By January 15, 2013, the commissioner shall submit a report to the joint  
12 standing committee of the Legislature having jurisdiction over marine resources matters  
13 on the commissioner's findings and progress regarding a voluntary fishery product  
14 inspection program.

15 The report must include the status of efforts to enter into a memorandum of  
16 understanding between the Department of Marine Resources and the National Oceanic  
17 and Atmospheric Administration and any draft legislation necessary to implement the  
18 commissioner's recommendations concerning the voluntary fishery product inspection  
19 program.

20 The joint standing committee of the Legislature having jurisdiction over marine resources  
21 matters may report out a bill on the subject of the report to the First Regular Session of  
22 the 126th Legislature.'

## 23 SUMMARY

24 This amendment provides that the Commissioner of Marine Resources may enter into  
25 agreements with the United States Department of Commerce, National Oceanic and  
26 Atmospheric Administration and seafood producers for the issuance of certificates of  
27 compliance required by international regulations and may seek reimbursement from the  
28 National Oceanic and Atmospheric Administration for the costs incurred by the  
29 Department of Marine Resources for the inspection and certification program. Such  
30 agreements would allow the department to perform inspections that are otherwise  
31 performed by National Oceanic and Atmospheric Administration. The amendment also  
32 requires the commissioner to submit a report to the joint standing committee of the  
33 Legislature having jurisdiction over marine resources matters detailing the department's  
34 progress regarding a voluntary fishery product inspection program, including draft  
35 legislation if necessary to implement the program. It also gives the committee permission  
36 to report out a bill to the First Regular Session of the 126th Legislature.

## 37 FISCAL NOTE REQUIRED

38 (See attached)



Approved: 03/09/12 *MAC*

# 125th MAINE LEGISLATURE

LD 1654

LR 2488(02)

**An Act To Establish the Seafood Export Certification Program**

**Fiscal Note for Bill as Amended by Committee Amendment "A" S - 449**

**Committee: Marine Resources**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Additional costs to the Department of Marine Resources associated with performing the research outlined in the legislation and reporting the results can be absorbed within existing budgeted resources and with existing staff.