

# MAINE STATE LEGISLATURE

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L.D. 703

Date: 2/28/18 Minority

(Filing No. H-617)

MARINE RESOURCES

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 494, L.D. 703, Bill, "An Act To Address Marine Debris Resulting from Commercial Activities"

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

**'Resolve, Establishing a Commission To Study the Effects of Marine Debris on Maine's Coastal Habitat and Species'**

Amend the bill by striking out everything after the title and inserting the following:

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

**Whereas,** the Commission To Study the Effects of Marine Debris is needed to identify sources of marine debris and the existing and potential future effects of marine debris on the marine environment and marine species, to aggregate existing scientific data and identify gaps in understanding that currently hinder the State's ability to craft adequate marine debris mitigation policy and to provide recommendations for advancing strategic options to fill gaps in the State's knowledge of the sources of marine debris and the effects of marine debris on habitat and commercially valuable marine species; and

**Whereas,** the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

**Whereas,** in the judgment of the Legislature, these facts 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, be it

**Sec. 1. Commission established. Resolved:** That the Commission To Study the Effects of Marine Debris, referred to in this resolve as "the commission," is established; and be it further

**COMMITTEE AMENDMENT**

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**Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule 353, the commission consists of 13 members as follows:

1. Two members of the Senate appointed by the President of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;

2. Three members of the House of Representatives appointed by the Speaker of the House, including at least one member from each of the 2 parties holding the largest number of seats in the Legislature;

3. Two members appointed by the President of the Senate as follows:

A. One representative of an environmental ocean or coastal community group based in the State; and

B. One person who is licensed to fish commercially in the State;

4. Three members appointed by the Speaker of the House as follows:

A. One representative of an environmental ocean or coastal community group based in the State;

B. One person who is an aquaculturist licensed in the State; and

C. One scientist who has studied marine debris in the State;

5. The Commissioner of Marine Resources or the commissioner's designee;

6. The Commissioner of Environmental Protection or the commissioner's designee; and

7. The Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee; and be it further

**Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission; and be it further

**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

**Sec. 5. Duties. Resolved:** That the commission shall meet a minimum of 4 times to study marine debris and how it has affected or potentially will affect the State's ocean and coastal ecosystem, habitats and species and shall:

1. Study the factors contributing to marine debris in the State;

2. Consider scientific literature and data and identify knowledge gaps pertaining to marine debris generated by marine and other industries and identify the effects of marine debris on the State's coastal habitat and species. The commission shall include in its

1 consideration of the scientific literature and data the results of studies presented at  
2 conferences or workshops that relate to marine debris, and the commission shall  
3 coordinate with any experts necessary to ensure accurate findings and sound  
4 recommendations and to prevent any undesired duplication of effort;

5 3. Provide recommended steps to strengthen existing scientific monitoring, research  
6 and analysis regarding the causes of and trends in marine debris as a means of better  
7 understanding the issue of marine debris and its effects, as well as methods for  
8 monitoring and evaluating any approaches presented in the report under section 7 and  
9 subsequently adopted by the Legislature to track benefits to and effects on the marine  
10 environment and species and marine and other industries;

11 4. Outline existing problems and threats of marine debris on habitat, commercially  
12 important fisheries, the State's shellfish aquaculture industry and coastal tourism and  
13 recreation and identify recommendations for policies and tools to respond to those  
14 problems and threats; and

15 5. Provide recommendations to the Legislature to increase public awareness of  
16 marine debris; and be it further

17 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide  
18 necessary staffing services to the commission; and be it further

19 **Sec. 7. Report. Resolved:** That, no later than November 7, 2018, the  
20 commission shall submit a report that includes its findings and recommendations,  
21 including suggested legislation, to the joint standing committee of the Legislature having  
22 jurisdiction over marine resources matters. The joint standing committee may report out  
23 legislation to the 129th Legislature based upon the report of the commission.

24 **Emergency clause.** In view of the emergency cited in the preamble, this  
25 legislation takes effect when approved.'

26 **SUMMARY**

27 This amendment replaces the bill, which is a concept draft, with a resolve that  
28 establishes the Commission To Study the Effects of Marine Debris, which is a 13-  
29 member commission tasked with studying marine debris and how it has affected or  
30 potentially will affect Maine's ocean and coastal ecosystem, habitats and species. The  
31 commission is required to meet at least 4 times and must submit a report, including  
32 suggested legislation, to the joint standing committee of the Legislature having  
33 jurisdiction over marine resources matters no later than November 7, 2018.

34 **FISCAL NOTE REQUIRED**

35 (See attached)



# 128th MAINE LEGISLATURE

LD 703

LR 1746(02)

An Act To Address Marine Debris Resulting from Commercial Activities

Fiscal Note for Bill as Amended by Committee Amendment *A (H-617)*  
Committee: Marine Resources  
Fiscal Note Required: Yes

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## Fiscal Note

### Legislative Cost/Study

#### Legislative Cost/Study

The general operating expenses of this study are projected to be \$1,375 in fiscal year 2017-18 and \$1,375 in fiscal year 2018-19. The Legislature's budget includes approximately \$7,000 in fiscal year 2017-18 and \$10,000 in fiscal year 2018-19 for legislative studies. Whether these amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature. The additional costs of providing staffing assistance to the study during the interim can be absorbed utilizing existing budgeted resources.

#### Fiscal Detail and Notes

Any additional costs for the departments and agencies with members appointed to the study are assumed to be minor and can be absorbed within existing budgeted resources.