

# MAINE STATE LEGISLATURE

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L.D. 1791

Date: 3-7-18

(Filing No. H-640)

**MAJORITY  
MARINE RESOURCES**

Reproduced and distributed under the direction of the Clerk of the House.

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

COMMITTEE AMENDMENT "A" to H.P. 1236, L.D. 1791, Bill, "An Act To Continue the Maine Lobster Marketing Collaborative"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 5 MRSA §12004-H, sub-§14, as amended by PL 2013, c. 309, §1, is further amended to read:

**14.**

Maine Lobster Marketing Collaborative	\$55 Per Diem Plus Expenses	12 MRSA §6455
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This subsection is repealed October 1, 2021.

**Sec. 2. 12 MRSA §6455, sub-§2-B** is enacted to read:

2-B. Executive committee. The collaborative shall establish an executive committee of no fewer than 5 members, who are appointed by a majority vote of the collaborative. The collaborative shall specify in its bylaws when the executive committee may act on behalf of the collaborative with regard to oversight of collaborative staff, daily operations of the collaborative and addressing unexpected expenditures to be made by the collaborative. The bylaws must specify what constitutes a quorum of the executive committee and how many votes are necessary for the executive committee to take a valid action. In addition to any other restrictions adopted by the collaborative, the executive committee may not act on behalf of the collaborative to:

- A. Adopt or amend an annual budget;
- B. Adopt or amend an annual marketing plan;
- C. Hire or terminate the employment of the executive director of the collaborative; or
- D. Amend the bylaws of the collaborative.'

**COMMITTEE AMENDMENT**

2021

COMMITTEE AMENDMENT "A" to H.P. 1236, L.D. 1791

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Amend the bill in section 1 in paragraph D in the first line (page 1, line 4 in L.D.) by striking out the following: "2020" and inserting the following: '2021'

Amend the bill by inserting after section 2 the following:

'Sec. 3. 12 MRSA §6455, sub-§9 is enacted to read:

9. Repeal. This section is repealed October 1, 2021.'

Amend the bill by inserting after section 3 the following:

'Sec. 4. Report. The Commissioner of Marine Resources shall investigate whether the surcharges assessed under the Maine Revised Statutes, Title 12, section 6455, subsection 5-A on a wholesale seafood license with lobster permits or a supplemental lobster transportation license may be amended to reflect the amount of lobster bought, sold, shipped or transported by the license holder or a class of license holders. The commissioner shall provide a report of recommendations to amend the surcharges to the joint standing committee of the Legislature having jurisdiction over marine resources matters by January 15, 2019. The joint standing committee may report out legislation to the First Regular Session of the 129th Legislature based upon the report.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment, which is the majority report of the committee, establishes an executive committee of the Maine Lobster Marketing Collaborative to take certain actions on behalf of the collaborative and specifies which actions are prohibited. The amendment retains the provision in the bill that removes the October 1, 2018 repeal of the section of law that establishes the collaborative and instead changes the repeal date to October 1, 2021. The amendment continues through 2021 the surcharge amounts on various types of licenses to fund the collaborative that have been in place since 2016. The amendment directs the Commissioner of Marine Resources to investigate whether the surcharges assessed on a wholesale seafood license with lobster permits or a supplemental lobster transportation license may be amended to reflect the amount of lobster bought, sold, shipped or transported by the license holder or a class of license holders and to provide a report of recommendations to the joint standing committee of the Legislature having jurisdiction over marine resources matters by January 15, 2019.

**FISCAL NOTE REQUIRED**

(See attached)

**COMMITTEE AMENDMENT**



# 128th MAINE LEGISLATURE

LD 1791

LR 2843(02)

An Act To Continue the Maine Lobster Marketing Collaborative

Fiscal Note for Bill as Amended by Committee Amendment *A (H-640)*

Committee: Marine Resources

Fiscal Note Required: Yes

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## Fiscal Note

Minor cost increase - General Fund  
Minor cost increase - Other Special Revenue Funds

### Fiscal Detail and Notes

Any additional costs to the Department of Marine Resources (DMR) and the Maine Lobster Marketing Collaborative (MLMC) as a result of changes to the organizational structure of the MLMC, timeline for operations of the MLMC, continuation of license surcharges to fund the MLMC and requirements that DMR investigate and report on possible changes to certain license surcharges used to fund the MLMC are anticipated to be minor and can be absorbed within existing budgeted resources.