

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 936

H.P. 691

House of Representatives, February 21, 2019

Resolve, Establishing a Commission To Study the Existing and Potential Effects of Freshwater and Marine Debris on Maine's Freshwater and Coastal Habitats and Species

(EMERGENCY)

Reference to the Committee on Marine Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DEVIN of Newcastle.

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

3 **Whereas,** the Commission To Study the Effects of Freshwater and Marine Debris is
4 needed to identify sources of marine debris and the existing and potential effects of
5 freshwater and marine debris on the freshwater and marine environment and freshwater
6 and marine species, to aggregate existing scientific data and identify gaps in
7 understanding that currently hinder the State's ability to craft adequate freshwater and
8 marine debris mitigation policy and to provide recommendations for advancing strategic
9 options to fill gaps in the State's knowledge of the sources of freshwater and marine
10 debris and the effects of freshwater and marine debris on habitats and commercially
11 valuable freshwater and marine species; and

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

15 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
16 the meaning of the Constitution of Maine and require the following legislation as
17 immediately necessary for the preservation of the public peace, health and safety; now,
18 therefore, be it

19 **Sec. 1. Commission established. Resolved:** That the Commission To Study the
20 Effects of Freshwater and Marine Debris, referred to in this resolve as "the commission,"
21 is established.

22 **Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule
23 353, the commission consists of 13 members as follows:

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

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

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

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

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

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

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

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

- 1 C. One scientist who has studied marine debris in the State;
- 2 5. The Commissioner of Marine Resources or the commissioner's designee;
- 3 6. The Commissioner of Environmental Protection or the commissioner's designee;
- 4 and
- 5 7. The Commissioner of Agriculture, Conservation and Forestry or the
- 6 commissioner's designee.

7 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate
8 chair and the first-named House of Representatives member is the House chair of the
9 commission.

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

18 **Sec. 5. Duties. Resolved:** That the commission shall study freshwater and
19 marine debris and how it has affected or potentially will affect the State's freshwater and
20 ocean and coastal ecosystems, habitats and species and shall:

- 21 1. Study the factors contributing to freshwater and marine debris in the State;
- 22 2. Consider scientific literature and data and identify knowledge gaps pertaining to
23 freshwater and marine debris generated by freshwater and marine and other industries and
24 identify the effects of freshwater and marine debris on the State's freshwater and coastal
25 habitats and species. The commission shall include in its consideration of the scientific
26 literature and data the results of studies presented at conferences or workshops that relate
27 to freshwater and marine debris, and the commission shall coordinate with any experts
28 necessary to ensure accurate findings and sound recommendations and to prevent any
29 undesired duplication of effort;
- 30 3. Provide recommended steps to strengthen existing scientific monitoring, research
31 and analysis regarding the causes of and trends in freshwater and marine debris as a
32 means of better understanding the issue of freshwater and marine debris and its effects, as
33 well as methods for monitoring and evaluating any approaches presented in the report
34 under section 7 and subsequently adopted by the Legislature to track benefits to and
35 effects on the freshwater and marine environment and species and freshwater, marine and
36 other industries;
- 37 4. Outline existing problems and threats of freshwater and marine debris on habitat,
38 commercially important fisheries, the State's shellfish aquaculture industry and coastal
39 tourism and recreation and identify recommendations for policies and tools to respond to
40 those problems and threats; and

1 5. Provide recommendations to the Legislature to increase public awareness of
2 freshwater and marine debris.

3 **Sec. 6. Staff assistance. Resolved:** That, notwithstanding Joint Rule 353, the
4 Legislative Council shall provide necessary staffing services to the commission, except
5 that Legislative Council staff support is not authorized when the Legislature is in regular
6 or special session.

7 **Sec. 7. Report. Resolved:** That, no later than December 4, 2019, the commission
8 shall submit a report that includes its findings and recommendations, including suggested
9 legislation, to the joint standing committee of the Legislature having jurisdiction over
10 marine resources matters. The joint standing committee may report out legislation to the
11 129th Legislature based upon the report of the commission.

12 **Emergency clause.** In view of the emergency cited in the preamble, this
13 legislation takes effect when approved.

14 **SUMMARY**

15 This bill establishes the Commission To Study the Effects of Freshwater and Marine
16 Debris, which is a 13-member commission tasked with studying freshwater and marine
17 debris and how it has affected or potentially will affect Maine's freshwater and ocean and
18 coastal ecosystems, habitats and species. The commission must submit a report,
19 including suggested legislation, to the joint standing committee of the Legislature having
20 jurisdiction over marine resources matters no later than December 4, 2019.