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Date: (Filing No. H-)

MARINE RESOURCES

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

COMMITTEE AMENDMENT “ ” 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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

38 2. Consider scientific literature and data and identify knowledge gaps pertaining to
39 marine debris generated by marine and other industries and identify the effects of marine
40 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)**