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Date: (Filing No. H-)

MARINE RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1174, L.D. 1602, “Resolve, Establishing the Commission To Study the Effects of Ocean Acidification and Its Potential Effects on Commercial Shellfish Harvested and Grown along the Maine Coast”

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

'Resolve, Establishing the Commission To Study the Effects of Coastal and Ocean Acidification and Its Existing and Potential Effects on Species That Are Commercially Harvested and Grown along the Maine Coast'

Amend the resolve by striking out everything after the title and before the summary 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 Coastal and Ocean Acidification and Its Existing and Potential Effects on Species That Are Commercially Harvested and Grown along the Maine Coast is established to identify the actual and potential effects of coastal and ocean acidification on commercially valuable marine species, to identify the scientific data and knowledge gaps that hinder Maine's ability to craft policy and other responses to coastal and ocean acidification and prioritize the strategies for filling those gaps and to provide policies and tools to respond to the adverse effects of coastal and ocean acidification on commercially important fisheries and Maine's shellfish aquaculture industry; 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 to be considered in 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

COMMITTEE AMENDMENT

1 **Sec. 1. Commission established. Resolved:** That, notwithstanding Joint Rule
2 353, the Commission To Study the Effects of Coastal and Ocean Acidification and Its
3 Existing and Potential Effects on Species That Are Commercially Harvested and Grown
4 along the Maine Coast, referred to in this resolve as "the commission," is established; and
5 be it further

6 **Sec. 2. Commission membership. Resolved:** That the commission consists of
7 the following members:

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

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

14 3. Eight members appointed by the Commissioner of Marine Resources, including:

15 A. Two representatives of an environmental or community group;

16 B. Three persons who fish commercially, including at least one aquaculturist; and

17 C. Three scientists who have studied coastal or ocean acidification; and

18 4. Three members as follows:

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

20 B. The Commissioner of Environmental Protection or the commissioner's designee;
21 and

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

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

27 **Sec. 4. Appointments; convening of commission. Resolved:** That all
28 appointments must be made no later than 30 days following the effective date of this
29 resolve. The appointing authorities shall notify the Executive Director of the Legislative
30 Council once all appointments have been completed. After appointment of all members,
31 the chairs shall call and convene the first meeting of the commission within 45 days. If
32 30 days or more after the effective date of this resolve a majority of but not all
33 appointments have been made, the chairs may request authority and the Legislative
34 Council may grant authority for the commission to meet and conduct its business; and be
35 it further

36 **Sec. 5. Duties. Resolved:** That the commission shall meet a minimum of 4 times
37 to review, study and analyze existing scientific literature and data on coastal and ocean
38 acidification and how it has affected or potentially will affect commercially harvested and
39 grown species along the coast of the State and shall address:

40 1. The factors contributing to coastal and ocean acidification;

- 1 2. How to mitigate coastal and ocean acidification;
- 2 3. Critical scientific data and knowledge gaps pertaining to coastal and ocean
3 acidification as well as critical scientific data and knowledge gaps pertaining to the
4 effects of coastal and ocean acidification on species that are commercially harvested and
5 grown along Maine's coast. The commission shall include in its review of the relevant
6 scientific literature and data the results of studies presented at conferences or workshops
7 held in the New England or Northeast region that relate to coastal and ocean acidification,
8 and the commission shall coordinate with the Northeast Coastal Acidification Network to
9 prevent duplication of effort;
- 10 4. Steps to strengthen existing scientific monitoring, research and analysis regarding
11 the causes of and trends in coastal and ocean acidification; and
- 12 5. Steps to take to provide recommendations to the Legislature and increase public
13 awareness of coastal and ocean acidification; and be it further
- 14 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
15 necessary staffing services to the commission; and be it further
- 16 **Sec. 7. Outside funding. Resolved:** That the commission shall seek funding
17 contributions to fund the costs of the study. All funding is subject to approval by the
18 Legislative Council in accordance with its policies. If sufficient contributions to fund the
19 study have not been received within 30 days after the effective date of this resolve, no
20 meetings are authorized and no expenses of any kind may be incurred or reimbursed; and
21 be it further
- 22 **Sec. 8. Report. Resolved:** That, no later than December 5, 2014, the commission
23 shall submit a report of its findings and recommendations to date, including suggested
24 legislation, to the joint standing committee of the Legislature having jurisdiction over
25 marine resources matters. The joint standing committee is authorized to submit a bill to
26 the First Regular Session of the 127th Legislature related to the subject matter of the
27 report.
- 28 **Emergency clause.** In view of the emergency cited in the preamble, this
29 legislation takes effect when approved.'

30

SUMMARY

31 This amendment replaces the resolve. Like the resolve, it establishes a commission
32 to study ocean acidification, but changes the scope of the study to include the effects of
33 coastal acidification. The amendment also changes the membership of the commission
34 and its duties and reporting date.