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STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON MARINE RESOURCES

TO: Senator Catherine E. Breen, Senate Chair
Representative Teresa Pierce, House Chair
Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator David Miramant, Senate Chair *DM / LLC*
Representative Joyce ("Jay") McCreight, House Chair *JM / LLC*
Joint Standing Committee on Marine Resources

DATE: March 17, 2022

RE: Committee Recommendations on the Governor's Proposed Supplemental Budget Bill (LD 1995)

The Marine Resources Committee has reviewed and discussed those portions of the Governor's proposed Supplemental Budget Bill (LD 1995) that are under the committee's jurisdiction.

The committee voted unanimously to move **IN** all budget initiatives. The vote on each initiative is indicated on the attached supplemental budget work sheet.

The committee also voted unanimously to move **IN** the following budget initiatives anticipated to be part of the Governor's Change Package:

- Bureau of Policy and Management, Department of Marine Resources – Legal Defense
General Fund allocation increase from \$980,000 to \$1,000,000 in FY 2021-22 and increased from \$0 to \$2,000,000 in FY 2022-23.
- Bureau of Marine Science, Department of Marine Resources – one employee initiative reclassification from Marine Resource Scientist II to Marine Resource Scientist III
- Bureau of Public Health, Department of Marine Resources - three employee initiative reclassifications from Laboratory Tech III to Microbiologist II

We appreciate your consideration of our recommendations and comments.

Cc: Members, Joint Standing Committee on Marine Resources
Judith Hannum, Clerk, AFA Committee
Maureen Dawson, OFPR Analyst

Sec. A-26. Appropriations and allocations.

The following appropriations and allocations are made.

MARINE RESOURCES, DEPARTMENT OF

Bureau of Marine Science 0027

Initiative: Provides funding to support climate adaptive monitoring and assessment work for Maine's coastal fisheries in collaboration with the University of Maine.

Ref. #: 902

Committee Vote: 10 - 0

AFA Vote: _____

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$0	\$0	\$250,000
GENERAL FUND TOTAL	\$0	\$0	\$250,000

Justification:

This initiative provides funding to be used towards positioning the State to proactively respond to accelerating climate change on Maine's marine resources and associated fisheries. Climate change is impacting the distribution and abundance of marine species faster than State and Federal Management can react. The combination of long-term monitoring programs and regional assessments provide critical adaptive management advice in the near and long-term time frame.

Bureau of Marine Science 0027

Initiative: Restores funding for existing federal awards that was reduced in error in Public Law 2021, chapter 398.

Ref. #: 903

Committee Vote: 10 - 0

AFA Vote: _____

FEDERAL EXPENDITURES FUND	2020-21	2021-22	2022-23
All Other	\$0	\$832,425	\$828,417
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$832,425	\$828,417

Justification:

This initiative provides funding that was reduced in error as part of the establishment of the Bureau of Sea Run Fisheries and Habitat in Public Law 2021, chapter 398, Part A, § 27.

Bureau of Marine Science 0027

Initiative: Continues and makes permanent one Marine Resource Scientist I position previously continued by Public Law 2021, chapter 29, Part D, section 1 to identify, document and test experimental lobster fishing gear modifications to reduce the risk of entanglement for endangered North Atlantic right whales.

Ref. #: 904

Committee Vote: 10 - 0

AFA Vote: _____

FEDERAL EXPENDITURES FUND	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

Justification:

This position was established by Public Law 2021, chapter 29 as a limited-period position to serve as the lead coordinator for Maine Department of Marine Resources (DMR) projects totaling over \$1 million in grant funds to identify, document, and test experimental lobster fishing gear modifications to reduce the risk of entanglement for endangered North Atlantic right whales. The department is requesting to remove the end date and add headcount to continue this position. See V-D-7902.

Bureau of Marine Science 0027

Initiative: Provides funding for continued data collection and related services that support reporting on recreational fishing.

Ref. #: 905 Committee Vote: 10-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2020-21	2021-22	2022-23
All Other	\$0	\$0	\$183,533
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$183,533

Justification:

This initiative provides funding for the continuation of data collection and related services in support of the Federal Marine Recreational Information Program's (MRIP), Access Point Angler Intercept Survey (APAIS) and the For-Hire Telephone Survey and the Large Pelagics Intercept Survey (LPIS).

Bureau of Marine Science 0027

Initiative: Transfers one Marine Resource Scientist IV position, one Marine Resource Scientist III position and one Marine Resource Scientist II position from the Bureau of Policy and Management program, General Fund to the Bureau of Marine Science program, General Fund.

Ref. #: 906 Committee Vote: 10-0 AFA Vote: _____

GENERAL FUND	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	3.000
Personal Services	\$0	\$0	\$337,264
GENERAL FUND TOTAL	\$0	\$0	\$337,264

Justification:

This initiative will align work effort with appropriate funding.

Bureau of Policy and Management 0258

Initiative: Provides funding for costs associated with installing radios in new vehicles.

Ref. #: 910 Committee Vote: 10-0 AFA Vote: _____

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$0	\$23,000	\$23,000
GENERAL FUND TOTAL	\$0	\$23,000	\$23,000

Justification:

This initiative provides funding for the increased cost of new vehicle radio installs completed by the Department of Administrative and Financial Services, Office of Information Technology. The request equates to six installs a year.

Bureau of Policy and Management 0258

Initiative: Provides funding for legal services provided by the Office of the Attorney General.

Ref. #: 913 Committee Vote: 10-0 AFA Vote: _____

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$0	\$58,878	\$61,685
GENERAL FUND TOTAL	\$0	\$58,878	\$61,685

Justification:

This initiative provides funding for additional legal services by one full-time Assistant Attorney General for litigation, settlement review and negotiation, rulemaking assistance and review, and other consultation as needed. This position will be funded between the Department of Marine Resources, Department of Inland Fisheries and Wildlife, and Department of Agriculture, Conservation, and Forestry.

Bureau of Policy and Management 0258

Initiative: Adjusts funding within the Bureau of Policy and Management program, Federal Expenditures Fund to align allocations with anticipated resources.

Ref. #: 914 Committee Vote: 10-0 AFA Vote: _____

FEDERAL EXPENDITURES FUND	2020-21	2021-22	2022-23
All Other	\$0	\$991	\$1,181
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$991	\$1,181

Justification:

The Aquaculture Federal Programs account is not currently supported by any federal awards. This initiative will bring the account to zero to align the budget with anticipated resources.

Bureau of Policy and Management 0258

Initiative: Provides funding for the increased cost of centralized financial and human resources services provided by the Department of Administrative and Financial Services.

Ref. #: 917

Committee Vote: 10 - 0

AFA Vote: _____

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$0	\$17,374	\$17,079
GENERAL FUND TOTAL	\$0	\$17,374	\$17,079

Justification:

Service Centers within the Department of Administrative and Financial Services provide centralized accounting, payroll, budgeting and human resources services to departments and agencies. Service Centers are established as internal service funds intended to recoup their costs through billings to departments and agencies for services provided. The Service Centers have experienced increased Personal Services costs primarily associated with recent salary increases in collective bargaining agreements and this has resulted in increases in billing rates to departments and agencies.

Bureau of Policy and Management 0258

Initiative: Transfers and reallocates one Resource Management Coordinator position from 100% Other Special Revenue Funds to 100% General Fund within the same program.

Ref. #: 918

Committee Vote: 10 - 0

AFA Vote: _____

GENERAL FUND	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	1.000
Personal Services	\$0	\$0	\$101,183
GENERAL FUND TOTAL	\$0	\$0	\$101,183

Ref. #: 919

Committee Vote: 10 - 0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	(1.000)
Personal Services	\$0	\$0	(\$101,183)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	(\$101,183)

Justification:

The Resource Management Coordinator position serves an essential role in providing support for federal, state, and local coordination of fisheries restoration actions, worth tens of millions of dollars annually. To ensure continued support for restoring Maine's marine resources and leveraging the position for increased federal funding that supports restoration, improved road infrastructure and safety, and climate resiliency permanent funding is needed.

Bureau of Policy and Management 0258

Initiative: Transfers one Marine Resource Scientist IV position, one Marine Resource Scientist III position and one Marine Resource Scientist II position from the Bureau of Policy and Management program, General Fund to the Bureau of Marine Science program, General Fund.

Ref. #: 920

Committee Vote: 10 - 0

AFA Vote: _____

GENERAL FUND	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	(3.000)
Personal Services	\$0	\$0	(\$337,264)
GENERAL FUND TOTAL	\$0	\$0	(\$337,264)

Justification:

This initiative will align work effort with appropriate funding.

Bureau of Policy and Management 0258

Initiative: Provides one-time funding for increased legal fee costs. Funds appropriated for this purpose do not lapse but must be carried forward one-time to fiscal year 2022-23 to support litigation costs in defense of the State's lobster fishery.

Ref. #: 921 One Time Committee Vote: 10-0 AFA Vote: _____

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$0	\$980,000	\$0
GENERAL FUND TOTAL	\$0	\$980,000	\$0

Justification:

This initiative provides one-time funding for legal fees to support the Department in litigation related to the protection of the Maine lobster fishery. Expenses will most likely be incurred in both fiscal year 2021-22 and fiscal year 2022-23, so carrying authority to fiscal year 2022-23 is needed to ensure sufficient funds are available.

Bureau of Public Health Z154

Initiative: Establishes one Planning and Research Associate II position to support climate change initiatives and the aquaculture sector.

Ref. #: 923 Committee Vote: 10-0 AFA Vote: _____

GENERAL FUND	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	1.000
Personal Services	\$0	\$0	\$89,228
GENERAL FUND TOTAL	\$0	\$0	\$89,228

Justification:

This position will facilitate public data accessibility, website maintenance and development and trainings for municipalities, industry and staff. This position will also review aquaculture leases, permits and operations plans for public health concerns, coordinate industry testing especially for increasing biotoxin threats and develop regulations and education strategies for risks associated with emerging Vibrio bacteria.

Bureau of Public Health Z154

Initiative: Transfers and reallocates one Seafood Technologist position and one Office Specialist II position from 100% Other Special Revenue Funds to 100% General Fund within the same program.

Ref. #: 924

Committee Vote:

10-0

AFA Vote: _____

GENERAL FUND	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	2.000
Personal Services	\$0	\$0	\$161,211
GENERAL FUND TOTAL	\$0	\$0	\$161,211

Ref. #: 925

Committee Vote:

10-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	(2.000)
Personal Services	\$0	\$0	(\$161,211)
All Other	\$0	\$0	(\$8,831)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	(\$170,042)

Justification:

This initiative will align work effort with appropriate funding.

Bureau of Public Health Z154

Initiative: Establishes one Marine Resource Scientist I position to support climate change initiatives.

Ref. #: 926

Committee Vote:

10-0

AFA Vote: _____

GENERAL FUND	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	1.000
Personal Services	\$0	\$0	\$92,762
GENERAL FUND TOTAL	\$0	\$0	\$92,762

Justification:

This position will assist in climate change initiatives including long-term sentinel intertidal monitoring sites that include species diversity, cataloguing invasive species and measuring dissolved oxygen and pH in water and sediment. This position will be based in Boothbay Harbor and will act as a resource for all bureaus in the department for programs that require remotely placed staff for efficiency such as special sampling and aquaculture inspections.

Bureau of Public Health Z154

Initiative: Establishes one Marine Resource Scientist I position to support shellfish resource management.

Ref. #: 927

Committee Vote:

10-0

AFA Vote: _____

GENERAL FUND	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	1.000
Personal Services	\$0	\$0	\$92,762
GENERAL FUND TOTAL	\$0	\$0	\$92,762

Justification:

This position will assist in assessing subtidal shellfish resources under the state management jurisdiction. This position will also act as a resource for municipal shellfish programs in their increasing efforts to scientifically assess shellfish populations and develop sustainable resource management programs. This position will be based in Scarborough and will act as a resource for all bureaus in the department for programs that require remotely placed staff for efficiency such as special sampling and aquaculture inspections.

Bureau of Public Health Z154

Initiative: Establishes one Marine Resource Scientist IV position to supervise the Nearshore Marine Resources program. This program will lead climate change initiatives, comanagement of shellfish with municipalities and management of subtidal shellfish resources.

Ref. #: 928

Committee Vote:

10-0

AFA Vote: _____

GENERAL FUND	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	1.000
Personal Services	\$0	\$0	\$124,348
GENERAL FUND TOTAL	\$0	\$0	\$124,348

Justification:

This position will manage the Nearshore Marine Resources Program including supervision of seven positions executing climate change initiatives such as long-term sentinel intertidal monitoring sites and shellfish research related to acidification, recruitment and predation. This position will also supervise the co-management of shellfish with municipalities and assessment of state regulated subtidal resources. The Nearshore Marine Resources program will also collaborate with DEP on eelgrass monitoring efforts and advancement of program processes like permitting along with oversight of the environmental permit review program.

Bureau of Public Health Z154

Initiative: Provides funding for the approved reorganization of one Marine Resource Scientist I position to a Marine Resource Scientist III position.

Ref. #: 929

Committee Vote:

10-0

AFA Vote: _____

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	\$0	\$0	\$15,212
GENERAL FUND TOTAL	\$0	\$0	\$15,212

Justification:

This is a management initiated reorganization approved by the Bureau of Human Resources with the effective date of January 2022 with an effective day of July 1, 2022.

Marine Patrol - Bureau of 0029

Initiative: Continues and makes permanent one Public Service Manager I position previously continued by Public Law 2021, chapter 29, Part D, section 1 to enhance the oversight and administration of the Bureau of Marine Patrol's special services division.

Ref. #: 908

Committee Vote:

10-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT

2020-21

2021-22

2022-23

0.000

1.000

1.000

OTHER SPECIAL REVENUE FUNDS TOTAL

\$0

\$0

\$0

Justification:

This position was established by Public Law 2021, chapter 29 as a limited-period position. See V-D-7904. The Captain's position within Marine Patrol is critically important to Bureau operations and the department is requesting to remove the end date and add headcount to continue this position.

Sea Run Fisheries and Habitat Z295

Initiative: Continues and makes permanent one Biologist II position previously continued by Public Law 2021, chapter 29, Part D, section 1 to implement scientific and restoration projects focused on the federal Bay of Fundy aquatic connectivity project.

Ref. #: 931

Committee Vote:

10-0

AFA Vote: _____

FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT

2020-21

2021-22

2022-23

0.000

1.000

1.000

FEDERAL EXPENDITURES FUND TOTAL

\$0

\$0

\$0

Justification:

This position was established by Public Law 2021, chapter 29 as a limited-period position to serve as the lead coordinator for Maine Department of Marine Resources (DMR) for the Bay of Fundy Connectivity Project, a \$30M project that will provide increased fisheries resources and significant construction jobs to Washington County Maine, the focal area of the study. The department is requesting to remove the end date and add headcount to continue this position. See V-D-7900.

Sea Run Fisheries and Habitat Z295

Initiative: Continues and makes permanent one Marine Resource Scientist II position previously continued by Public Law 2021, chapter 29, Part D, section 1 to implement scientific and restoration projects focused on native diadromous or sea-run fish species in the State.

Ref. #: 932

Committee Vote:

10-0

AFA Vote: _____

FEDERAL EXPENDITURES FUND	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

Justification:

This position was established by Public Law 2021, chapter 29 as a limited-period position to serve as the coordinator for the "Salmon for Maine's Rivers" and statewide citizen science monitoring. The department is requesting to remove the end date and add headcount to continue this position. See V-D-7901.

MARINE RESOURCES, DEPARTMENT OF

DEPARTMENT TOTALS	2020-21	2021-22	2022-23
GENERAL FUND	\$0	\$1,079,252	\$1,028,470
FEDERAL EXPENDITURES FUND	\$0	\$833,416	\$829,598
OTHER SPECIAL REVENUE FUNDS	\$0	\$0	(\$87,692)
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$1,912,668	\$1,770,376