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MARINE RESOURCES

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**STATE OF MAINE
SENATE
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 364, L.D. 1038, Bill, “An Act To Amend the Emergency Rule-making Authority of the Department of Marine Resources”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 12 MRSA §6171, sub-§3, as enacted by PL 1977, c. 661, §5, is repealed and the following enacted in its place:

3. Emergency rules. The commissioner may adopt or amend rules under the emergency procedures provided in Title 5, chapter 375 in the following circumstances:

A. Immediate action is necessary to protect or conserve any marine organism from unusual damage or imminent depletion;

B. An unusually large concentration of fishermen might deplete the supply of any marine organism; or

C. Immediate action is necessary to comply with changes to federal or interstate fisheries management plans.'

SUMMARY

This amendment clarifies the emergency rule-making authority of the Commissioner of Marine Resources to adopt or amend rules to comply with changes to federal or interstate fisheries management plans. The amendment provides that the commissioner must follow the procedures set forth in the Maine Revised Statutes, Title 5, chapter 375 when adopting or amending emergency rules.

COMMITTEE AMENDMENT