

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1574

S.P. 484

In Senate, March 13, 2001

An Act to Establish the Maine Boating Safety Advisory Council.

(EMERGENCY)

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator SAWYER of Penobscot.
Cosponsored by Representative COWGER of Hallowell and
Senator NUTTING of Androscoggin, Representatives: DUGAY of Cherryfield, HONEY of
Boothbay.

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

4
6 **Whereas,** because recreational boating in the State is so
diverse in types of watercraft and surface waters, and the
responsibility for boating law enforcement is shared by some 6
8 agencies of local, state and federal government, proposed
solutions often receive far less attention than they deserve; and

10
12 **Whereas,** the growth of recreational boating in the State has
generated a growing public and governmental concern over boating
safety and boating education; and

14
16 **Whereas,** the Legislature considered a large number of bills
impacting recreational boating during the 119th legislative
session; and

18
20 **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
22 necessary for the preservation of the public peace, health and
safety; now, therefore,

24 **Be it enacted by the People of the State of Maine as follows:**

26 **Sec. 1. 5 MRSA §12004-I, sub-§49-C** is enacted to read:

28
30

<u>49-C.</u>	<u>Maine</u>	<u>Expenses</u>	<u>12 MRSA</u>
<u>Inland</u>	<u>Boating</u>	<u>Only if not</u>	<u>§7806</u>
<u>Fisheries</u>	<u>Safety</u>	<u>Otherwise</u>	
<u>and Wildlife</u>	<u>Advisory</u>	<u>Compensated</u>	
	<u>Council</u>		

34 **Sec. 2. 12 MRSA §7806** is enacted to read:

36 **§7806. Maine Boating Safety Advisory Council**

38
40 The Maine Boating Safety Advisory Council, referred to in
this section as the "council," is established by Title 5, section
12004-I, subsection 49-C.

42
44 **1. Membership; composition; terms.** The Commissioner of
Inland Fisheries and Wildlife shall solicit membership and
representatives from the following organizations:

46 A. The United States Coast Guard;

48 B. The Department of Inland Fisheries and Wildlife;

50

2 C. The Department of Marine Resources;

4 D. The State Planning Office;

6 E. The United States Coast Guard Auxiliary;

8 F. A boating safety and navigation education organization;

10 G. A harbor master association;

12 H. A state or regional association designed to protect lakes;

14 I. A statewide organization that promotes marine fishing and boating;

16 J. A statewide organization that promotes hunting and freshwater fishing;

18 K. A statewide organization promoting paddle sports; and

20 L. A statewide organization representing professional guides or instructors or both.

24 Each member may select one representative from its organization to serve on the council. Representatives must be selected every 2 years and may not serve more than 3 consecutive terms. At all times the council must have a simple majority membership of nonstate and nonfederal entities. Additional members may be added to the council upon written petition by the prospective member and approval by the council.

32 2. Chair. At the first meeting each year, council representatives shall select a person from among the representatives to serve as chair for a one-year term. The chair may not serve more than 2 terms consecutively.

38 3. Duties. The council shall advise and make policy recommendations to the Commissioner of Inland Fisheries and Wildlife and the Legislature regarding boating safety and education issues, including the coordination and evaluation of efforts to enforce state and federal boating regulations.

44 4. Meetings; recommendations. The council shall submit recommendations, reports or plans to the Commissioner of Inland Fisheries and Wildlife and to the Joint Standing Committee on Inland Fisheries and Wildlife.

48 5. Quorum. A quorum is a majority of the current representatives of the council.

