

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 691

S.P. 228

In Senate, February 10, 2005

**An Act To Provide Public Health Protection Authority to the
Department of Marine Resources**

Submitted by the Department of Marine Resources pursuant to Joint Rule 204.
Reference to the Committee on Marine Resources 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 DAMON of Hancock.
Cosponsored by Representatives: KOFFMAN of Bar Harbor, OTT of York, PINGREE of
North Haven.

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

4 **Sec. 1. 12 MRSA §6171-C is enacted to read:**

6 **§6171-C. Protection of public health**

8 **1. Commissioner's powers.** The commissioner may, with the
10 advice and consent of the Marine Resources Advisory Council,
adopt or amend such rules as the commissioner considers necessary
to protect public health.

12 **2. Emergency rulemaking.** If immediate action is necessary
14 to protect public health, the commissioner may undertake the
emergency adoption of a rule or an amendment to a rule in
16 accordance with section 6192 and Title 5, section 8054.

18 **3. Procedure.** The procedures of subchapter 2 must be used
in adopting or amending rules authorized by this section.

20 **SUMMARY**

22 This bill gives the Commissioner of Marine Resources the
24 authority to adopt rules, with the advice and consent of the
Marine Resources Advisory Council, as necessary to protect public
26 health.