

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

SMC  
R QFS

1

L.D. 1038

2

Date: 5/1/15

(Filing No. S- 64 )

3

## MARINE RESOURCES

4

Reproduced and distributed under the direction of the Secretary of the Senate.

5

### STATE OF MAINE

6

### SENATE

7

### 127TH LEGISLATURE

8

### FIRST REGULAR SESSION

9

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

10

11

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

12

13

'Sec. 1. 12 MRSA §6171, sub-§3, as enacted by PL 1977, c. 661, §5, is repealed and the following enacted in its place:

14

15

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

16

17

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

18

19

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

20

21

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

22

23

### SUMMARY

24

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.

25

26

27

28

### FISCAL NOTE REQUIRED

(See attached)

# COMMITTEE AMENDMENT



Approved: 04/16/15 *mac*

# 127th MAINE LEGISLATURE

LD 1038

LR 510(02)

**An Act To Amend the Emergency Rule-making Authority of the Department of Marine Resources**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (S-64)**

**Committee: Marine Resources**

**Fiscal Note Required: Yes**

---

## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Any additional costs to the Department of Marine Resources to allow the commissioner to adopt or amend rules in certain circumstances are expected to be minor and can be absorbed within existing budgeted resources.