

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 1038

S.P. 364

In Senate, March 24, 2015

**An Act To Amend the Emergency Rule-making Authority of 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, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator LANGLEY of Hancock.
Cosponsored by Representative KUMIEGA of Deer Isle and
Senator: MIRAMANT of Knox, Representatives: BLUME of York, PIERCE of Dresden.

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

2 **Sec. 1. 12 MRSA §6171, sub-§3**, as enacted by PL 1977, c. 661, §5, is amended
3 to read:

4 **3. Emergency regulations.** The commissioner may adopt or amend regulations
5 under the emergency procedures; if immediate action is necessary to protect or conserve
6 any marine organism from unusual damage or imminent depletion. An unusually large
7 concentration of fishermen ~~which~~ who might deplete the supply of any marine organism
8 ~~shall justify~~ justifies adopting emergency regulations. The commissioner also may adopt
9 or amend regulations under the emergency procedures if necessary to comply with
10 changes to federal or interstate fisheries management plans that allow fishermen
11 additional access to a marine resource.

12 **SUMMARY**

13 This bill expands the emergency rule-making authority of the Commissioner of
14 Marine Resources to allow the Department of Marine Resources to amend rules to
15 expand opportunity in a fishery if the amendment is in compliance with a federal or
16 interstate fisheries management plan.