> PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out all of section 1 and inserting the following:

'**Sec. 1. 12 MRSA §6171, sub-§5,** as amended by PL 2007, c. 157, §1, is repealed and the following enacted in its place:

5. Rules to limit taking of marine organisms. The commissioner may adopt rules that limit the taking of a marine organism for the purpose of protecting another marine organism.

A. Rules adopted pursuant to this subsection are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A.

B. If the commissioner determines that for biological reasons a rule adopted under this section must take effect prior to final adoption under paragraph A, the commissioner may adopt the rule as a routine technical rule pursuant to Title 5, chapter 375, subchapter 2-A. A rule adopted under this paragraph is effective until 90 days after the adjournment of the next regular session of the Legislature. Rules adopted pursuant to this paragraph must also be submitted to the Legislature under paragraph A. The commissioner may not adopt rules under Title 5, section 8054 pursuant to this paragraph.

This paragraph is repealed July 31, 2012.'

SUMMARY

Current law provides that a rule adopted by the Commissioner of Marine Resources that limits the taking of one marine organism to protect another marine organism is a major substantive rule. This amendment authorizes the Commissioner of Marine Resources, for biological reasons, to adopt a routine technical rule to limit the taking of one marine organism to protect another marine organism that is effective only until 90 days after the adjournment of the next regular session of the Legislature. It requires the Commissioner of Marine Resources to also submit such a rule to the Legislature as a major substantive rule. The provisions of this amendment are repealed July 31, 2012.

FISCAL NOTE REQUIRED
(See attached)