

### §6034. Commercial Fishing Safety Council

**1. Appointment; composition.** The Commercial Fishing Safety Council, referred to in this section as "the council" and established by Title 5, section 12004-I, subsection 57-E, consists of 9 members appointed by the commissioner as follows:

- A. One member who is a license holder under this Part and a member of the Lobster Advisory Council, recommended by the chair of the Lobster Advisory Council; [PL 2003, c. 90, §2 (NEW).]
- B. [PL 2011, c. 128, §1 (RP).]
- C. One member who is a license holder under this Part and a member of the Sea Urchin Zone Council or the Scallop Advisory Council, recommended by the chair of the Sea Urchin Zone Council or the Scallop Advisory Council; [PL 2011, c. 128, §1 (AMD).]
- D. Three members who are license holders under this Part and who represent commercial marine harvesting activities; [PL 2011, c. 128, §1 (AMD).]
- E. An educator experienced in community-based adult education and volunteer safety training or an expert in fishing industry risk analysis and occupational health; [PL 2011, c. 128, §1 (AMD).]
- F. [PL 2011, c. 128, §1 (RP).]
- G. An expert in marine safety equipment; [PL 2003, c. 90, §2 (NEW).]
- H. [PL 2011, c. 128, §1 (RP).]
- I. [PL 2011, c. 128, §1 (RP).]
- J. A spouse or domestic partner of a license holder under this Part; and [PL 2003, c. 90, §2 (NEW).]
- K. A member of the public. [PL 2003, c. 90, §2 (NEW).]

The composition of the council must reflect a geographic distribution along the coast of the State. The council may invite to carry out the duties of the council other participants on an ad hoc basis, including representatives of private or governmental organizations or individuals with expertise or interest in marine, education, labor or health matters.

[PL 2011, c. 128, §1 (AMD).]

**2. Term.** The term of an appointed member is 3 years, except a vacancy of a member before the expiration of the member's term must be filled in the same manner as the original member for the unexpired portion of the member's term.

[PL 2011, c. 128, §2 (AMD).]

**3. Officers.** The officers of the council are the chair, vice-chair and secretary. The term of the officers is one year. The Governor shall appoint the first chair of the council. Except for the appointment of the original chair, the council shall elect a member of the council for each officer position at the first regular meeting of each year. The officers have the following duties:

- A. The chair shall call and preside at council meetings; [PL 2003, c. 90, §2 (NEW).]
- B. The vice-chair shall call and preside at council meetings when the chair is absent; and [PL 2003, c. 90, §2 (NEW).]
- C. The secretary shall record all meetings of the council and preserve these records. [PL 2003, c. 90, §2 (NEW).]

[PL 2003, c. 90, §2 (NEW).]

**4. Meetings.** The council shall hold regular quarterly meetings and may hold special meetings with the commissioner or the commissioner's designee. A member of the council may participate and

is deemed present at a meeting of the council or of a subcommittee of the council by telephone, electronically or by any other means by which all members participating in the meeting are able to communicate with each other. The council shall ensure adequate facilities for full attendance at council meetings by the public.

[PL 2003, c. 90, §2 (NEW).]

**5. Quorum.** A quorum exists when a majority of the members of the council are present, either actually or pursuant to subsection 4.

[PL 2003, c. 90, §2 (NEW).]

**6. Council actions.** The council may act in the following ways:

A. If a quorum is present, in person or pursuant to subsection 4, by a majority vote of the members present or polled; or [PL 2003, c. 90, §2 (NEW).]

B. If there is no meeting, by written poll of a quorum of members responding. [PL 2003, c. 90, §2 (NEW).]

[PL 2003, c. 90, §2 (NEW).]

**7. Duties.** The council shall carry out duties specifically delegated to the council by law or by the commissioner and give the commissioner information and advice concerning fishing safety issues, including:

A. Minimum safety equipment, training and operational standards; [PL 2003, c. 90, §2 (NEW).]

B. Community-based education programs that provide practical safety training and fisheries-specific safety training; [PL 2003, c. 90, §2 (NEW).]

C. An outreach program to promote the culture of safety; and [PL 2005, c. 505, §2 (AMD).]

D. Opportunities to minimize the costs and seek alternative funding sources, fees, incentives, grants or partnerships to minimize the financial impact of safety requirements. [PL 2005, c. 505, §2 (AMD).]

E. [PL 2005, c. 505, §2 (RP).]

[PL 2005, c. 505, §2 (AMD).]

**8. Report.**

[PL 2005, c. 505, §3 (RP).]

**9. Compensation.** Members of the council are entitled to compensation according to Title 5, chapter 379.

[PL 2007, c. 34, §2 (NEW).]

## SECTION HISTORY

PL 2003, c. 90, §2 (NEW). PL 2003, c. 510, §C3 (AMD). PL 2005, c. 505, §§1-3 (AMD). PL 2007, c. 34, §2 (AMD). PL 2009, c. 369, Pt. A, §25 (AMD). PL 2011, c. 128, §§1, 2 (AMD).

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