

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 792

H. P. 600

House of Representatives, January 28, 1965

Referred to Committee on Sea and Shore Fisheries. Sent up for concurrence and ordered printed.

JEROME G. PLANTE, Clerk

Presented by Mr. Benson of Southwest Harbor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Revising Laws Relating to Advisory Council of Sea and Shore Fisheries.

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

Sec. 1. R. S., T. 12, § 3551, amended. Section 3551 of Title 12 of the Revised Statutes is amended to read as follows :

'Sec. 3551. Appointment; compensation. The following provisions apply to the advisory council, as heretofore appointed :

1. **Appointment; composition.** The Governor ~~with the advice and consent of the Council~~ shall appoint an advisory council consisting of ~~5~~ 7 members. Insofar as possible the membership of the council will represent, in the Governor's opinion, a cross-section of occupations which will best serve the interests of Maine. Legal residence in the State of Maine is not a prerequisite for appointment to the council. The commissioner shall be a member ex officio of the council. He shall hold no council office.

2. **Term.** ~~Each appointment is for a 3 year term and until a successor is appointed and qualified~~ Terms of not more than 3 years shall be so specified at the time of each appointment that not more than 3 members are retired each year. Terms shall begin on June 1st and end on May 31st.

3. **Vacancy.** If a vacancy in ~~office~~ the council occurs, the Governor ~~with the advice and consent of the Council~~ shall appoint a member to serve the unexpired term.

4. **Compensation.** Members of the council may receive no compensation for their services, but they are entitled to receive actual expenses which do not

exceed a total for the council of ~~\$500~~ \$3,000 for all the members in any one fiscal year.'

Sec. 2. R. S., T. 12, § 3552, repealed and replaced. Section 3552 of Title 12 of the Revised Statutes is repealed and the following enacted in place thereof:

'Sec. 3552. Powers and duties. The advisory council has the following powers and duties:

1. **Council to inform and advise commissioner.** The advisory council shall review departmental activities, make such recommendations and render advice relative to the operation of the department, as they deem advisable, to the commissioner and the Governor. A record of the recommendations and advice of the advisory council shall be maintained by the department. Within 30 days after the filing of a recommendation by the advisory council, the commissioner shall file with the Governor and the advisory council his response to the recommendations.

2. **Council; meetings.** The advisory council shall meet on the 2nd Thursday of June for the election of officers and such other business as may come before it. Before June 30th, the chairman shall present to the Governor and commissioner a schedule for at least 6 additional regular meetings prior to the following May 31st. Special meetings may be called by the chairman on his own initiative, or must be called when so requested by at least 3 members of the council. Suitable accommodations and clerical services shall be provided by the department for all meetings.

3. **Council officers; officers' duties.** The chairman shall be appointed by the Governor. The council shall elect one of its members as secretary for a term of one year at the regular June meeting.

A. The chairman shall call all meetings of the council, and preside at all at which he is present.

B. The secretary shall preside at all meetings of the council in the chairman's absence.

C. The secretary shall cause records to be taken and to be preserved of all meetings of the council. The minutes of the meetings of the council shall be recorded and reproduced, and copies shall be submitted to the Governor and the commissioner.

D. The council shall elect one of its members to fill a vacancy in the position of secretary for the unexpired term at the next regular or special meeting following the vacancy.

E. The commissioner shall make available to the council such administrative and clerical service as the council requires to properly carry on its work.'