

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1246

H. P. 918

House of Representatives, February 12, 1965

Referred to Committee on Inland Fisheries and Game. Sent up for concurrence and ordered printed.

JEROME G. PLANTE, Clerk

Presented by Mr. Palmer of Phillips.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Creating an Inland Fisheries and Game Commission.

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

Sec. 1. R. S., T. 12, § 1951, repealed and replaced. Section 1951 of Title 12 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 1951. Inland Fisheries and Game Commission

There shall be an Inland Fisheries and Game Commission consisting of a chairman and 4 other citizens who shall be elected from their respective districts, or, in case of a vacancy, appointed by the Governor with the advice and consent of the Council from the district in which the vacancy occurs.

One each of the 5 members shall be elected from the following districts: The first, consisting of the Counties of York, Cumberland and Androscoggin, and the 5th, consisting of the Counties of Penobscot, Hancock and Washington, shall each elect a member for a term of 6 years; the 2nd, consisting of the Counties of Oxford, Franklin and Somerset, and the 4th, consisting of the Counties of Piscataquis and Aroostook, shall each elect a member for a term of 4 years; and the 3rd, consisting of the Counties of Waldo, Kennebec, Lincoln, Sagadahoc and Knox, shall elect a member for a term of 2 years; thereafter, each district shall elect a member for a term of 6 years. Each member shall be a resident of the district from which he is elected.

The chairman shall be designated by the members of the commission at their first meeting on or after the first day of January annually, to act for one year. Each member of the commission shall receive a salary of \$4,000 annually, and shall be reimbursed for any necessary traveling expenses at the rate of 6c per

mile; such salaries and expenses to be paid from funds credited to the department.

The commission shall meet at least once each month and in addition may meet as often as necessary, at such times and places as the chairman may designate. Any 3 members constitute a quorum for the exercise of all powers of the commission.'

Sec. 2. R. S., T. 12, §§ 1951-A - 1951-C, additional. Title 12 of the Revised Statutes is amended by adding 3 new sections, to be numbered 1951-A to 1951-C, to read as follows:

§ 1951-A. Mode of election

The members of the commission shall be elected by the written votes of electors of each district qualified to vote for Representatives. The first members of the commission, and those thereafter chosen to fill vacancies which occur by expiration of terms at the end of any year in which a biennial election is held, shall be elected on the Tuesday following the first Monday of November in each even-numbered year. The votes shall be received, sorted, counted and declared as votes for Representatives are. The names of the persons voted for, the number of votes for each and the whole number of ballots received shall be recorded by the clerk in the municipal records, and true copies thereof, sealed and attested as returns of votes for Senators, shall be transmitted to the Secretary of State.

§ 1951-B. Powers and duties of commission

The general powers and duties of the commission are:

1. Administration. To exercise the powers and perform the duties formerly belonging to the office of the Commissioner of Inland Fisheries and Game. The commission may formulate policies, adopt regulations, establish organizational and operational procedures, hear and decide complaints, establish license fees and exercise general supervision.
2. Prescribe duties of director. To prescribe the duties and supervise the activities of the director.
3. Delegate powers. To delegate such powers to the director as it shall deem necessary in exercising its administration.
4. Reports. To report biennially to the Governor and to the Legislature such facts and recommendations relating to its administration. The Director of Legislative Research shall cooperate with the commission in the formulation of its legislative proposals.

§ 1951-C. Director of Inland Fisheries and Game

The commission shall appoint, subject to the Personnel Law, a Director of Inland Fisheries and Game. The director shall be the executive officer and secretary of the commission, and shall perform such duties as it may prescribe.'

Sec. 3. R. S., T. 12, § 1955, repealed. Section 1955 of Title 12 of the Revised Statutes is repealed.

Sec. 4. R. S., T. 12, § 1956, amended. Section 1956 of Title 12 of the Revised Statutes is amended to read as follows:

‘§ 1956. Declaration of emergency

When the Legislature is not in session, the commissioner ~~with the consent of the advisory council~~, if in ~~their~~ **his** opinion immediate emergency action is necessary to remedy conditions adversely affecting fish and wildlife of the State, may declare any or all of the streams, rivers, lakes and areas of the State closed to hunting or fishing, for a period of time not more than 30 days. If the time of the emergency suspension of any part of chapters 301 to 335 extends for a longer period than 30 days, the consent of the Governor and Council must be obtained before such declaration of emergency becomes effective.’