



114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2149

H.P. 1551

House of Representatives, January 8, 1990

Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 24.

Reference to the Committee on Fisheries and Wildlife suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative FARREN of Cherryfield. Cosponsored by Representative SMITH of Island Falls, Representative CARROLL of Southwest Harbor and Representative CLARK of Millinocket.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY

An Act to Improve the Organizational Structure of the Fish and Wildlife Advisory Council.

Be it enacted by the People of the State of Maine as follows: 2 Sec. 1. 5 MRSA §12004-G, sub-§20, as enacted by PL 1987, c. 4 786, §5, is amended to read: 6 20. Inland 12 MRSA \$25/Day Inland Fisheries and \$7033 Fisheries Wildlife <u>§7033-A</u> 8 and Wildlife 10 Advisory Council 12 (to-the Department 14 of-Inland Fisheries 16 and-Wildlife) Sec. 2. 12 MRSA §7033, as amended by PL 1989, c. 493, §4 and 18 c. 503, Pt. B, §64, is repealed. 20 Sec. 3. 12 MRSA §7033-A is enacted to read: 22 §7033-A. Inland Fisheries and Wildlife Advisory Council 24 1. Appointment. The Inland Fisheries and Wildlife Advisory 26 Council, established by Title 5, section 12004-G, subsection 20, shall consist of 10 members representing the 16 counties of the 28 State in the following manner: one member shall represent Androscoggin County, Kennebec County and Sagadahoc County; one 30 member shall represent Aroostook County; one member shall represent Cumberland County; one member shall represent Franklin 32 County and Oxford County; one member shall represent Hancock County; one member shall represent Knox County, Lincoln County 34 and Waldo County; one member shall represent Penobscot County; one member shall represent Piscataguis County and Somerset County; one member shall represent Washington County; and one 36 member shall represent York County. Members of the advisory council shall be appointed by the Governor, subject to review by 38 the joint standing committee of the Legislature having jurisdiction over fisheries and wildlife matters and to 40 confirmation by the Legislature. The commissioner shall be a 42 nonvoting ex officio member of the advisory council, but may vote to break a tie. 44 2. Length of terms. Appointments must be for a term of 3 years and until successors are appointed and qualified. A person 46 may not serve more than 2 consecutive 3-year terms. On the death, 48 resignation or removal from office of any person appointed to the advisory council, the Governor shall appoint a member to serve 50 for the unexpired term.

Expenses. The members of the advisory council are 3. entitled to compensation as provided in Title 5, chapter 379. 2 4. Duties. The advisory council shall perform the 4 following duties. б A. The council shall render to the commissioner information and advice concerning the administration of the department 8 and carry out other duties specifically delegated by chapters 701 to 721. 10 B. The council shall hold regular meetings with the 12 commissioner or the commissioner's deputy in December and May of each year and may hold special meetings at such other 14 times and places as are advisable. 16 C. All regular and special meetings of the council must be 18 public meetings and must be held in a public meeting place convenient for the public. 20 D. Public comment must be accepted at regular and special meetings of the council. Comments may be restricted to 22 subjects before the council at the meeting and consistent with any applicable requirements and limitations of the 24 Maine Administrative Procedure Act, Title 5, chapter 375. 26 E. Public notice of all regular and special council meetings must be published in a daily newspaper of general 28 circulation, in the geographic area where the meeting is scheduled, at least 7 days and not more than 21 days prior 30 to the meeting. That notice must include an agenda or 32 statement of purpose of the meeting. That notice may be combined with any other notice of the meeting required by 34 law. 36 5. Officers. At the meeting held in May of each year, the council may elect one member as chair and one member as 38 vice-chair. Sec. 4. Transition provision. Persons who are serving a term on 40 the Inland Fisheries and Wildlife Advisory Council at the time this Act becomes effective shall continue to serve until the 42 expiration of their terms. After the effective date of this Act, appointments may be made for any county not then represented on 44 the advisory council, except that the total number of council members may not exceed 10.

STATEMENT OF FACT

The Inland Fisheries and Wildlife Advisory Council now consists of 8 members representing the wildlife management units

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of the State. Wildlife management units were established primarily on the basis of land use and climatic conditions, and as a result, each advisory council member represents varying numbers of residents. At the present time, one advisory council member represents nearly 50% of the entire population. In addition, certain council members are situated an extremely long distance away from some of the people they represent.

This bill will increase the number of advisory council members from 8 to 10 and establish representation largely on the basis of population centers, rather than on wildlife management units, through the use of county lines. This change will allow advisory council members to be more accessible to the people they represent and ensure that the general public is afforded equitable representation on fish and wildlife issues.

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