

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1209

S.P. 441

In Senate, April 4, 1995

An Act to Amend the Laws Pertaining to the Marine Resources Advisory Council.

Reference to the Committee on Marine Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representatives: BENEDIKT of Brunswick, LOOK of Jonesboro,
SIMONEAU of Thomaston, VOLENIK of Sedgwick.

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

2
4 **Sec. 1. 12 MRSA §6024, sub-§1-A**, as amended by PL 1989, c. 788, §1, is further amended to read:

6 **1-A. Appointment; composition; term; compensation.** The
8 Marine Resources Advisory Council, established by Title 5,
10 section 12004-G, subsection 27, ~~shall consist~~ consists of 9 15
12 members. The Chair of the Lobster Advisory Council ~~shall be~~ is
14 an ex officio member of the council. Each other member ~~shall be~~ is
16 appointed by the Governor and ~~shall be~~ is subject to review by
18 the ~~joint standing committee of the Legislature~~ having
20 jurisdiction over marine resources and to confirmation by the
22 Legislature. ~~Seven of the appointed members shall be selected~~
24 ~~from persons directly engaged in commercial activities or~~
26 ~~industries based on marine resources. These 7 members shall be~~
28 ~~selected so as to adequately represent, together with the Chair~~
30 ~~of the Lobster Advisory Council, the various aspects of~~
32 ~~commercial fisheries' activities over which the department has~~
34 ~~jurisdiction. One of the appointed members shall be selected~~
36 ~~from persons who represent recreational fishing interests. Seven~~
38 ~~members must be persons who are licensed under this Part to~~
40 ~~engage in commercial harvesting activities. Those 7 members are~~
42 ~~selected by the Governor from names recommended to the Governor~~
44 ~~by groups representing commercial harvesting interests. Each~~
member must represent a different commercial harvesting activity,
except that none of those 7 members may represent lobster
harvesters. The remaining 7 members must include one person who
represents recreational marine fishing interests, one public
member, 4 persons who hold a nonharvesting-related license under
this Part and one person representing the aquaculture industry.
The Governor shall select the person to represent the aquaculture
industry from among the names recommended by the aquaculture
industry. The composition of the council shall must reflect a
geographical distribution along the coast. All appointed members
shall ~~be~~ are appointed for a term of 3 years, except a vacancy
shall must be filled in the same manner as an original member for
the unexpired portion of the term. ~~No~~ An appointed member may
not serve for more than 2 consecutive terms ~~at any one time~~.
Appointed members shall serve until their successors are
appointed. The Chair of the Lobster Advisory Council shall serve
until a new Chair of the Lobster Advisory Council is chosen.
Members shall ~~be~~ are compensated as provided in Title 5, chapter
379.

46 **Sec. 2. 12 MRSA §6024, sub-§2**, as enacted by PL 1977, c. 661,
48 §5, is amended to read:

50 **2. Powers and duties; meetings; officers.** The council
shall give the commissioner information and advice concerning the

2 administration of the department and carry out other duties
3 specifically delegated by marine resources' laws. The council
4 shall hold regular quarterly meetings with the commissioner, or
5 his the commissioner's designee, and may hold special meetings at
6 any time. The council shall elect one of its members as ~~chairman~~
chair, one as ~~vice-chairman~~ vice-chair and one as secretary, all
7 for a term of one year, at the first regular meeting in each
8 year. The officers shall have the following duties.

10 A. The ~~chairman~~ chair shall call and preside at all
11 meetings of the council.

12 B. The ~~vice-chairman~~ vice-chair shall call and preside at
13 all meetings of the council in the ~~chairman's~~ chair's
14 absence.

15 C. The secretary shall cause records to be taken and to be
16 preserved of all meetings of the council.

17 **Sec. 2. Transition.** The Governor shall make all appointments
18 necessary under this Act not later than 90 days following the
19 effective date of this Act.

24 STATEMENT OF FACT

25 This bill expands the membership of the Marine Resources
26 Advisory Council from 9 members to 15 members. The expanded
27 membership adds a public member, members who are engaged in
28 commercial fisheries but who are not licensed harvesters and one
29 person representing the aquaculture industry.

30 The bill also strikes the requirement that the members of
31 the council be reviewed by the Joint Standing Committee on Marine
32 Resources, but retains the provision that they must be confirmed
33 by the Legislature.