

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 152

H.P. 128

House of Representatives, January 14, 1997

An Act to Create a 3-Person Regional Fisheries and Wildlife Advisory Council within Each Resource Management Administrative Region.

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative UNDERWOOD of Oxford.
Cosponsored by Representatives: PAUL of Sanford, USHER of Westbrook, Senator:
KIEFFER of Aroostook.

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

2
4 **Sec. 1. 12 MRSA §7033-A, sub-§1**, as enacted by PL 1989, c. 782, §3, is amended to read:

6 **1. Appointment.** The Inland Fisheries and Wildlife Advisory
8 Council, established by Title 5, section 12004-G, subsection 20,
10 to be known as the advisory council, ~~shall consist~~ consists of ~~10~~
12 ~~7~~ members representing the ~~16 counties of the State in the~~
14 ~~following manner: one member shall represent Androscoggin County,~~
16 ~~Kennebec County and Sagadahoc County; one member shall represent~~
18 ~~Areostock County; one member shall represent Cumberland County;~~
20 ~~one member shall represent Franklin County and Oxford County; one~~
22 ~~member shall represent Hancock County; one member shall represent~~
24 ~~Knox County, Lincoln County and Waldo County; one member shall~~
26 ~~represent Penobscot County; one member shall represent~~
~~Piscataquis County and Somerset County; one member shall~~
~~represent Washington County; and one member shall represent York~~
~~County~~ resource management administrative regions established by
the department. Members of the advisory council shall ~~must~~ be
appointed by the Governor, subject to review by the joint
standing committee of the Legislature having jurisdiction over
fisheries and wildlife matters and to confirmation by the
Legislature. The commissioner shall be serve as a nonvoting ex
officio member of the advisory council, ~~but may vote to break a~~
~~tie.~~

28 An employee of the department may not serve as a member of the
30 advisory council prior to the expiration of one year from that
32 employee's last day of employment with the department. A
34 Legislator may not serve as a member of the advisory council. A
36 former Legislator who was a member of the joint standing
committee of the Legislature having jurisdiction over fisheries
and wildlife matters may not serve as a member of the advisory
council prior to the expiration of one year from that former
Legislator's last day of membership on that committee.

38 **Sec. 2. 12 MRSA §7033-B** is enacted to read:

40 **§7033-B. Regional councils**

42 **1. Established.** A regional council is established by the
44 department pursuant to section 7033-A, subsection 1.

46 **2. Appointment; terms.** The regional council consists of 3
members, appointed in the following manner.

48 A. The advisory council member appointed by the Governor
50 from each region shall serve as chair of that member's
regional council.

2 B. The advisory council shall appoint one member from among
4 people recommended to the advisory council by a state-wide
 association of sportsmen.

6 C. The advisory council shall appoint one member from among
8 names submitted by Legislators, local sporting organizations
 or other interested organizations or individuals.

10 Each member is appointed for a term of 3 years. A member may not
12 serve more than 2 consecutive 3-year terms on the same regional
 council.

14 3. Meetings; quorum; compensation. Each regional council
16 shall meet at least twice each calendar year. Meetings of a
 regional council may be called by any member of the regional
18 council. All 3 members must be present for the regional council
 to conduct business. Meetings of the council are not public
20 proceedings under the provisions of Title 1, section 402;
 however, the chair of the regional council shall ensure that
22 reasonable public notice is provided for each regional council
 meeting and that each meeting is held in a public location such
24 as a town hall, school or public library. Members of a regional
 council are not entitled to compensation for regional council
 meetings.

26 4. Duties. A regional council shall seek and receive
28 comments from residents of that region on:

30 A. Matters pertaining to the management of the State's fish
 and wildlife resources;

32 B. Rules proposed by the commissioner;

34 C. Activities of the department and the advisory council;
36 and

38 D. Any other issue that the regional council feels may
40 potentially affect the fish and wildlife resources of the
 State.

42 Sec. 3. Regional councils; initial appointments. The Inland
44 Fisheries and Wildlife Advisory Council shall make all
 appointments to regional councils no later than July 30, 1997.

46 Sec. 4. Transition. Notwithstanding the Maine Revised
48 Statutes, Title 12, section 7033-A, a person who is an appointed
 member of the Inland Fisheries and Wildlife Advisory Council on
50 the effective date of this Act is entitled to continue to serve
 as a member of that council with all the powers and duties

2 incumbent in that position until the expiration of the term to
3 which that person was appointed. The advisory council shall
4 resolve by majority vote any questions that arise during this
5 transition period pertaining to the chairship of a regional
6 council established under Title 12, section 7033-B. In making
7 any appointments to the advisory council after the effective date
8 of this Act, the Governor shall abide by the appointment criteria
9 set forth in Title 12, section 7033-A.

10

12

SUMMARY

14

This bill reorganizes the Inland Fisheries and Wildlife
Advisory Council from 10 members based on county representation
16 to 7 members selected from the resource management regions
17 established by the Department of Inland Fisheries and Wildlife.

18

This bill also creates a 3-member regional council within
20 each resource management region for the purpose of enhancing
21 local input into fisheries and wildlife issues of local and
22 statewide interest. The member of the state advisory council
23 from each region is a member and chair of that region's local
24 council. The other 2 members of a regional council are selected
25 by the advisory council. Regional councils are required to hold
26 at least 2 meetings each calendar year and to provide reasonable
27 public notice of each meeting. All members serve without
28 compensation.

30

The bill also repeals an existing provision of law granting
the Commissioner of Inland Fisheries and Wildlife voting
32 authority for the purpose of breaking a tie.

32