

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 1317

S.P. 401

In Senate, March 5, 2001

**Resolve, Establishing a Commission to Examine the Fisheries Division  
of the Department of Inland Fisheries and Wildlife.**

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

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN  
Secretary of the Senate

Presented by President MICHAUD of Penobscot.  
Cosponsored by Representative DUNLAP of Old Town and  
Senators: CARPENTER of York, WOODCOCK of Franklin, Representatives: COLWELL of  
Gardiner, McGLOCKLIN of Embden, SAVAGE of Buxton, TRAHAN of Waldoboro.

2           **Sec. 1. Commission established. Resolved:** That the Commission  
to Examine the Fisheries Division of the Department of Inland  
4 Fisheries and Wildlife, referred to in this resolve as the  
"commission," is established; and be it further

6           **Sec. 2. Commission membership. Resolved:** That the commission  
consists of the following 7 members:

8  
1. One member from the Senate, appointed by the President  
10 of the Senate who serves on the Joint Standing Committee on  
Inland Fisheries and Wildlife;

12  
2. One member from the House of Representatives, appointed  
14 by the Speaker of the House who serves on the Joint Standing  
Committee on Inland Fisheries and Wildlife;

16  
3. One representative of the Sportsman's Alliance of Maine,  
18 appointed by the alliance;

20  
4. One representative of Trout Unlimited, appointed by the  
members of Trout Unlimited;

22  
5. Two members, appointed by the Commissioner of Inland  
24 Fisheries and Wildlife, one who must be either the commissioner  
or the commissioner's designee and the other who must be a  
26 fisheries biologist; and

28  
6. One representative of the Sportsman's Alliance of  
Maine's fishing initiative committee, appointed by the committee;  
30 and be it further

32           **Sec. 3. Chairs. Resolved:** That the Senate member is the  
Senate chair of the commission and the House of Representatives  
34 member is the House chair of the commission; and be it further

36           **Sec. 4. Appointments; meetings. Resolved:** That all  
appointments must be made no later than 30 days following the  
38 effective date of this resolve. The Executive Director of the  
Legislative Council must be notified by all appointing  
40 authorities once the selections have been made. When the  
appointment of all members has been completed, the chairs of the  
42 commission shall call and convene the first meeting of the  
commission no later than December 31, 2001; and be it further

44  
          **Sec. 5. Duties. Resolved:** That the commission shall study the  
46 adequacy and effectiveness of the fisheries division's budget,  
policies, plans, programs, decision-making process including  
48 biological decisions, peer review system, public accountability,  
methods and consistency of data collection and reporting and  
50 interactions with the public; and be it further

**Sec. 6. Staff assistance. Resolved:** That, upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the commission; and be it further

**Sec. 7. Compensation. Resolved:** That the members of the commission who are Legislators are entitled to the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for necessary expenses incurred for their attendance at authorized meetings of the commission. Other members of the commission who are not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses incurred for their attendance at authorized meetings; and be it further

**Sec. 8. Report. Resolved:** That the commission shall submit its report with its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters by January 2, 2003. If the commission requires a limited extension of time to conclude its work, it may apply to the Legislative Council, which may grant the extension; and be it further

**Sec. 9. Legislation. Resolved:** That the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters may report out legislation during the First Regular Session of the 121st Legislature; and be it further

**Sec. 10. Budget. Resolved:** That the chairs of the commission, with assistance from the commission staff, shall administer the commission's budget. Within 10 days after its first meeting, the commission shall present a work plan and proposed budget to the Legislative Council for approval. Upon request from the commission, the Executive Director of the Legislative Council shall promptly provide the commission chairs and staff with a status report on the commission's budget, expenditures incurred and paid and available funds. The commission may accept and administer any outside funds contributed to support the work of the commission.

## SUMMARY

This resolve creates a commission to examine the fisheries division of the Department of Inland Fisheries and Wildlife.