

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 946

H.P. 703

House of Representatives, February 25, 2003

**Resolve, To Establish the Commission To Promote Jobs and
Economic Development through Ecotourism**

(EMERGENCY)

Reference to the Committee on Business, Research and Economic Development suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative FAIRCLOTH of Bangor.
Cosponsored by Senator BRYANT of Oxford and
Representative: DUNLAP of Old Town.

2 **Emergency preamble.** Whereas, Acts and resolves of the
Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

4
6 **Whereas,** states such as Texas and Missouri have brought
millions of dollars into their economies through environmental
tourism that includes sites catering to nongame enthusiasts such
as birders; and

8
10 **Whereas,** the Federal Government has granted money to the
states, including Maine, to promote such tourism; and

12
14 **Whereas,** Maine has a superior natural environment
particularly attractive to environmental tourists and excursion
tourism; and

16
18 **Whereas,** environmental tourists have been shown in repeated
studies to have more disposable income than the average citizen;
and

20
22 **Whereas,** environmental features can be particularly
important factors in business recruitment and attraction; and

24 **Whereas,** this resolve establishes the Commission to Promote
Jobs and Economic Development through Ecotourism; and

26
28 **Whereas,** this resolve is necessary as an emergency measure
to afford adequate time for the issues to be appropriately
addressed by the commission; and

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32 **Whereas,** the study must be initiated before the 90-day
period expires in order that the study may be completed and a
report submitted in time for submission to the next legislative
session; and

34
36 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore, be it

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42 **Sec. 1. Commission established. Resolved:** That the Commission
to Promote Jobs and Economic Development through Ecotourism,
referred to in this resolve as "the commission," is established;
and be it further

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48 **Sec. 2. Commission membership. Resolved:** That the commission
consists of 20 members appointed as follows:

50 1. Three members of the Senate, appointed by the President

2 of the Senate, one of whom serves on the Joint Standing Committee
3 on Natural Resources, one of whom serves on the Joint Standing
4 Committee on Inland Fisheries and Wildlife and one of whom serves
5 on the Joint Standing Committee on Business, Research and
6 Economic Development;

7
8 2. Three members of the House of Representatives, appointed
9 by the Speaker of the House, one of whom serves on the Joint
10 Standing Committee on Natural Resources, one of whom serves on
11 the Joint Standing Committee on Inland Fisheries and Wildlife and
12 one of whom serves on the Joint Standing Committee on Business,
13 Research and Economic Development;

14 3. Four members, one member representing each of the 4
15 chambers of commerce representing the 4 largest urban areas in
16 the State; 2 of the members are appointed by the President of the
17 Senate and 2 of the members are appointed by the Speaker of the
18 House;

19 4. One member representing the Maine Audubon Society,
20 appointed by the Speaker of the House;

21
22 5. One member representing the Natural Resources Council of
23 Maine, appointed by the President of the Senate;

24
25 6. Four members appointed by the Governor as follows:

26
27 A. One member representing the Maine League of Conservation
28 Voters;

29
30 B. One member representing the Maine Professional Guides
31 Association;

32
33 C. One member representing the Maine Tourism Council; and

34
35 D. One member representing the University of Maine
36 Department of Economics;

37
38 7. The Commissioner of Environmental Protection, or a
39 designee;

40
41 8. The Commissioner of Inland Fisheries and Wildlife, or a
42 designee;

43
44 9. The Commissioner of Economic and Community Development,
45 or a designee; and

46
47 10. The Commissioner of Conservation, or a designee.

48
49 The commission shall invite the United States Fish and
50

2 Wildlife Service to designate a representative who is
3 familiar with ecotourism policy throughout the country to
4 participate as a member of the commission; and be it further

6 **Sec. 3. Chairs. Resolved:** That the first-named Senate member
7 is the Senate chair of the commission and the first-named House
8 of Representatives member is the House chair of the commission;
and be it further

10 **Sec. 4. Appointments; convening of commission. Resolved:** That
11 all appointments must be made no later than 30 days following the
12 effective date of this resolve. The appointing authorities shall
13 notify the Executive Director of the Legislative Council once all
14 appointments have been completed. Within 15 days after
15 appointment of all members, the chairs shall call and convene the
16 first meeting of the commission; and be it further

18 **Sec. 5. Duties. Resolved:** That the commission shall examine
19 ways to seek out and promote economic development through the
20 protection, designation and promotion to tourists of wild natural
21 areas. In conducting its study, the commission shall:

22 1. Monitor locations that are recognized for their
23 ecotourism value and strategize about the potential for increased
24 ecotourism;

25 2. Seek out additional locations within the State that hold
26 potential for significant ecotourism value;

27 3. Create a promotion plan designed to appeal to both
28 tourists and those seeking to recruit and retain high-income
29 businesses and attract professionals and a high-income workforce;
30 and

31 4. Propose construction of wetland boardwalks, bird blinds,
32 wildlife and birding festivals, highway signs and promotional
33 materials designed in a way to enhance rather than harm the site
34 that is promoted; and be it further

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

39 **Sec. 7. Funding. Resolved:** That the commission may seek and
40 accept other sources of funds to advance its work. Notice of
41 solicitation and acceptance of funds must be sent to the
42 Legislative Council. All funds accepted must be forwarded to the
43 Executive Director of the Legislative Council along with an

2 accounting record that includes the amount of funds, the date the
3 funds were received, from whom the funds were received and the
4 purpose and any limitation on the use of the funds. The
5 Executive Director of the Legislative Council administers any
6 funds received; and be it further

7
8 **Sec. 8. Compensation. Resolved:** That the legislative members
9 of the commission are entitled to the legislative per diem, as
10 defined in the Maine Revised Statutes, Title 3, section 2, and
11 reimbursement for travel and other necessary expenses related to
12 their attendance at authorized meetings of the commission.
13 Public members not otherwise compensated by their employers or
14 other entities that they represent are entitled to receive
15 reimbursement of necessary expenses and, upon a demonstration of
16 financial hardship, a per diem equal to the legislative per diem
17 for their attendance at authorized meetings of the commission;
18 and be it further

19
20 **Sec. 9. Report. Resolved:** That, no later than December 3,
21 2003, the commission shall submit a report that includes its
22 findings and recommendations, including suggested legislation,
23 for presentation to the Second Regular Session of the 121st
24 Legislature. The commission is authorized to submit legislation
25 related to its report for introduction to the Second Regular
26 Session at the time of submission of its report; and be it further

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28 **Sec. 10. Extension. Resolved:** That, if the commission requires
29 a limited extension of time to complete its study and make its
30 report, it may apply to the Legislative Council, which may grant
31 an extension; and be it further

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33 **Sec. 11. Commission budget. Resolved:** That the chairs of the
34 commission, with assistance from the commission staff, shall
35 administer the commission's budget. Within 10 days after its
36 first meeting, the commission shall present a work plan and
37 proposed budget to the Legislative Council for its approval. The
38 commission may not incur expenses that would result in the
39 commission's exceeding its approved budget.

40
41 Upon request from the commission, the Executive Director of
42 the Legislative Council, or the executive director's designee,
43 shall promptly provide the commission chairs and staff with a
44 status report on the commission budget, expenditures incurred and
45 paid and available funds.

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47 **Emergency clause.** In view of the emergency cited in the
48 preamble, this resolve takes effect when approved.

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SUMMARY

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This resolve establishes the Commission to Promote Jobs and Economic Development through Ecotourism.