

MAINE STATE LEGISLATURE

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MAJORITY

L.D. 128

2 Date: 6/10/2013

(Filing No. S- 250)

3 INLAND FISHERIES AND WILDLIFE

4 Reproduced and distributed under the direction of the Secretary of the Senate.

5 STATE OF MAINE

6 SENATE

7 126TH LEGISLATURE

8 FIRST REGULAR SESSION

9 COMMITTEE AMENDMENT "A" to S.P. 49, L.D. 128, Bill, "An Act To Abolish
10 the Inland Fisheries and Wildlife Advisory Council"

11 Amend the bill by striking out the title and substituting the following:

12 '**An Act To Amend the Laws Governing the Inland Fisheries and Wildlife Advisory**
13 **Council'**

14 Amend the bill by striking out all of section 1.

15 Amend the bill by striking out all of sections 3 and 4 and inserting the following:

16 '**Sec. 3. 12 MRSA §10151, sub-§1**, as enacted by PL 2003, c. 414, Pt. A, §2 and
17 affected by c. 614, §9, is amended to read:

18 **1. Appointment.** The Inland Fisheries and Wildlife Advisory Council, established
19 by Title 5, section 12004-G, subsection 20 and referred to in this Part as the "advisory
20 council," consists of 10 members representing the 16 counties of the State in the
21 following manner: one member representing Androscoggin County, Kennebec County
22 and Sagadahoc County; one member representing Aroostook County; one member
23 representing Cumberland County; one member representing Franklin County and Oxford
24 County; one member representing Hancock County; one member representing Knox
25 County, Lincoln County and Waldo County; one member representing Penobscot
26 County; one member representing Piscataquis County and Somerset County; one member
27 representing Washington County; and one member representing York County. Members
28 of the advisory council are appointed by the Governor, subject to review by the joint
29 standing committee of the Legislature having jurisdiction over fisheries and wildlife
30 matters and to confirmation by the Legislature. The commissioner or the commissioner's
31 designee is a nonvoting, ex officio member of the advisory council, but may vote to break
32 a tie.

33 An employee of the department may not serve as a member of the advisory council prior
34 to the expiration of one year from that employee's last day of employment with the
35 department. A Legislator may not serve as a member of the advisory council. A former
36 Legislator who was a member of the joint standing committee of the Legislature having

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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.

Sec. 4. 12 MRSA §10151, sub-§4, as amended by PL 2011, c. 668, §2, is repealed and the following enacted in its place:

4. Duties. The advisory council shall:

C. Hold regular meetings with the commissioner or the deputy commissioner to provide information and advice on enhancing fisheries and wildlife resource management in the State;

D. Form stakeholder groups with relevant areas of expertise to obtain information and make recommendations on enhancing fisheries and wildlife resource management in the State;

E. Convene stakeholder group meetings at least annually in areas of the State where deer populations need to be enhanced;

F. Attend public hearings on rules proposed by the commissioner and make recommendations based on public and stakeholder input regarding those rules; and

G. Provide and present a written annual summary of the advisory council's activities and accomplishments to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters.'

Amend the bill by striking out all of section 6.

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment is the majority report of the committee. The bill abolishes the Inland Fisheries and Wildlife Advisory Council. This amendment instead amends the laws governing the Inland Fisheries and Wildlife Advisory Council in order to realign the advisory council's formal duties to convening stakeholder groups and providing information and advice to the Commissioner of Inland Fisheries and Wildlife to enhance fisheries and wildlife resource management in the State. With these revised duties, the advisory council no longer renders to the commissioner information and advice concerning the administration of the Department of Inland Fisheries and Wildlife. The amendment retains the bill's provision removing the advisory council's authority upon appeal to restore hunting license privileges to petitioners whose privileges have been revoked or suspended and the restoration of which the commissioner has disallowed. Further, where rulemaking is concerned, the advisory council no longer provides advice and consent to the commissioner, which is a change made in the bill and retained by the amendment, but the amendment adds that as part of its revised duties the advisory committee makes recommendations based on public and stakeholder input to the

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1 commissioner regarding rules. The amendment allows the commissioner's designee to be
2 a member of the advisory council. Finally, this amendment requires that the advisory
3 council provide and present annually a written summary of its activities and
4 accomplishments to the joint standing committee of the Legislature having jurisdiction
5 over inland fisheries and wildlife matters.

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