

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)

3/10/13
ROFB

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

MINORITY

L.D. 128

Date: 0/10/2013

(Filing No. S- 257)

INLAND FISHERIES AND WILDLIFE

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

STATE OF MAINE

SENATE

126TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT “**B**” to S.P. 49, L.D. 128, Bill, “An Act To Abolish the Inland Fisheries and Wildlife Advisory Council”

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

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

Amend the bill by striking out all of sections 1 to 4 and inserting the following:

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

1. Appointment. The Inland Fisheries and Wildlife Advisory Council, established by Title 5, section 12004-G, subsection 20 and referred to in this Part as the "advisory council," consists of 10 members representing the 16 counties of the State in the following manner: one member representing Androscoggin County, Kennebec County and Sagadahoc County; one member representing Aroostook County; one member representing Cumberland County; one member representing Franklin County and Oxford County; one member representing Hancock County; one member representing Knox County, Lincoln County and Waldo County; one member representing Penobscot County; one member representing Piscataquis County and Somerset County; one member representing Washington County; and one member representing York County. Members of the advisory council are 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 or the commissioner's designee is a nonvoting, ex officio member of the advisory council, but may vote to break a tie.

An employee of the department may not serve as a member of the advisory council prior to the expiration of one year from that employee's last day of employment with the department. A Legislator may not serve as a member of the advisory council. A 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

COMMITTEE AMENDMENT

1 council prior to the expiration of one year from that former Legislator's last day of
2 membership on that committee.

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4 repealed and the following enacted in its place:

5 **4. Duties.** The advisory council shall:

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

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

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

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

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

19 Amend the bill by striking out all of section 6.

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

22 **SUMMARY**

23 This amendment is the minority report of the committee. The bill abolishes the
24 Inland Fisheries and Wildlife Advisory Council. This amendment instead amends the
25 laws governing the Inland Fisheries and Wildlife Advisory Council in order to realign the
26 advisory council's formal duties to convening stakeholder groups and providing
27 information and advice to the Commissioner of Inland Fisheries and Wildlife to enhance
28 fisheries and wildlife resource management in the State. With these revised duties, the
29 advisory council no longer renders to the commissioner information and advice
30 concerning the administration of the Department of Inland Fisheries and Wildlife. The
31 amendment retains the bill's provision removing the advisory council's authority upon
32 appeal to restore hunting license privileges to petitioners whose privileges have been
33 revoked or suspended and the restoration of which the commissioner has disallowed.
34 However, where rulemaking is concerned, this amendment preserves the advisory
35 council's role of providing advice and consent to the commissioner. The amendment
36 allows the commissioner's designee to be a member of the advisory council. Finally, this
37 amendment requires that the advisory council provide and present annually a written
38 summary of its activities and accomplishments to the joint standing committee of the
39 Legislature having jurisdiction over inland fisheries and wildlife matters.