

MAINE STATE LEGISLATURE

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Date: 4/20/21

L.D. 361
(Filing No. H-77)

INLAND FISHERIES AND WILDLIFE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 259, L.D. 361, "An Act To Establish a Permanent Appointment of a Member of the Wabanaki Tribes to the Inland Fisheries and Wildlife Advisory Council"

Amend the bill by striking out all of section 1 and inserting the following:

Sec. 1. 12 MRSA §10151, sub-§1, as amended by PL 2013, c. 375, §1, is further 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 11 members, with 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. The 11th member must be a member of a federally recognized Indian nation, tribe or band in the State. 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 Governor shall appoint the member who is a member of a federally recognized Indian nation, tribe or band in the State based on the joint recommendation of the tribal governments of the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe at Motahkomikuk, the Passamaquoddy Tribe at Sipayik and the Penobscot Nation. If these tribal governments do not make a unanimous joint recommendation, the Governor shall appoint a member of a federally recognized Indian nation, tribe or band in the State and rotate the appointment among members of each federally recognized Indian nation, tribe or band in the State. The commissioner or the commissioner's designee is a nonvoting, ex officio member of the advisory council, but may vote to break a tie.

COMMITTEE AMENDMENT

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

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

SUMMARY

This amendment removes provisions of the bill relating to the process for the federally recognized Indian tribes in the State to recommend a tribal member for appointment to the Inland Fisheries and Wildlife Advisory Council. It also clarifies that if the tribal governments do not make a unanimous joint recommendation, the Governor must appoint a member of a federally recognized Indian nation, tribe or band in the State and rotate the appointment among members of each federally recognized Indian nation, tribe or band in the State.

FISCAL NOTE REQUIRED

(See attached)

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130th MAINE LEGISLATURE

LD 361

LR 1058(02)

An Act To Establish a Permanent Appointment of a Member of the Wabanaki Tribes to the Inland Fisheries and Wildlife Advisory Council

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-77)
Committee: Inland Fisheries and Wildlife
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

This bill increases the Inland Fisheries and Wildlife Advisory Council membership by adding a member who represents a federally recognized Indian nation, tribe, or band in the State. The addition of one member to the council will increase the number entitled to compensation. This cost is anticipated to be minor and can be absorbed within existing budgeted resources.