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Legislative Document

No. 342

H.P. 240

House of Representatives, February 8, 2021

An Act To Establish a Permanent Appointment of a Member of the Wabanaki Tribes to the Marine Resources Advisory Council

Received by the Clerk of the House on February 4, 2021. Referred to the Committee on Marine Resources pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative NEWELL of the Passamaquoddy Tribe. Cosponsored by Senator MIRAMANT of Knox and Representatives: COLLINGS of Portland, EVANGELOS of Friendship, PERRY of Calais, PLUECKER of Warren, WARREN of Scarborough, Senators: MAXMIN of Lincoln, MOORE of Washington. 1 Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §6024, sub-§1-A, as amended by PL 2019, c. 225, §3, is further
 amended to read:

4 1-A. Appointment; composition; term; compensation. The Marine Resources 5 Advisory Council, established by Title 5, section 12004-G, subsection 27, consists of 15 6 16 members. The chair of the Lobster Advisory Council, the chair of the Sea Urchin Zone Council and the chair of the Shellfish Advisory Council are ex officio members of the 7 8 council. Each other member is appointed by the Governor and is subject to review by the 9 joint standing committee of the Legislature having jurisdiction over marine resources matters and to confirmation by the Legislature. Five members must be persons who are 10 licensed under this Part to engage in commercial harvesting activities. Those 5 members 11 are selected by the Governor from names recommended to the Governor by groups 12 representing commercial harvesting interests. Each member must represent a different 13 14 commercial harvesting activity, except that none of those 5 members may represent lobster harvesters. The remaining 7 8 members must include one public member, one member 15 16 who is a member of the Wabanaki Tribes, 4 persons who hold a nonharvesting-related license under this Part, one person representing recreational saltwater anglers and one 17 person representing the aquaculture industry. The Governor shall select the person to 18 19 represent the aquaculture industry from among the names recommended by the aquaculture 20 industry. The Governor shall select the member who is a member of the Wabanaki Tribes 21 based on the recommendation of the tribal governments of the Wabanaki Tribes, including the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the 22 Passamaquoddy Tribe at Motahmikuk, the Passamaquoddy Tribe at Sipayik and the 23 24 Penobscot Nation. In recommending the appointment of the member who is a member of 25 the Wabanaki Tribes, the tribal governments of the Wabanaki Tribes shall establish a 26 process that provides for the membership to rotate among the tribal governments. The 27 composition of the council must reflect a geographical distribution along the coast. All appointed members are appointed for a term of 3 years, except a vacancy must be filled in 28 29 the same manner as an original member for the unexpired portion of the term. An appointed 30 member may not serve for more than 2 consecutive terms. Appointed members serve until 31 their successors are appointed. The chair of the Lobster Advisory Council, the chair of the Sea Urchin Zone Council and the chair of the Shellfish Advisory Council shall serve until 32 a new chair of the Lobster Advisory Council, a new chair of the Sea Urchin Zone Council 33 34 or a new chair of the Shellfish Advisory Council, respectively, is chosen. Members are 35 compensated as provided in Title 5, chapter 379.

36 SUMMARY
37 This bill increases the membership of the Marine Resources Advisory Council by adding a member who represents the Wabanaki Tribes.