

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FOUR

—
H.P. 1326 - L.D. 2064

**An Act to Amend the Laws Regarding Certain Advisory Councils and
Boards Related to the Department of Marine Resources**

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 2023, c. 207, §4, is further amended to read:

1-A. Appointment; composition; term; compensation. The Marine Resources Advisory Council, established by Title 5, section 12004-G, subsection 27, consists of 17 members. The chair of the Lobster Advisory Council, the chair of the Sea Urchin Zone Council ~~and~~, the chair of the Shellfish Advisory Council and the chair of the Aquaculture Advisory Council are ex officio members of the council. Each other member is appointed by the Governor and is subject to review by the 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 licensed under this Part to engage in commercial harvesting activities. Those 5 members are selected by the Governor from names recommended to the Governor by groups representing commercial harvesting interests. Each member must represent a different commercial harvesting activity, except that none of those 5 members may represent lobster harvesters. The remaining ~~9~~ 8 members must include one member who is listed on the saltwater recreational fishing registry established in section 6312 and does not hold a state marine harvesting license, one public member, one member who is a member of a federally recognized Indian nation, tribe or band in the State, 4 persons who hold a nonharvesting-related license under this Part, and one person representing recreational saltwater anglers ~~and one person representing the aquaculture industry. The Governor shall select the person to represent the aquaculture industry from among the names recommended by the aquaculture industry.~~ The Governor shall select 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 Mi'kmaq Nation, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe at Motahkomikuk, the Passamaquoddy Tribe at Sipayik and the Penobscot Nation. If the 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

composition of the council must reflect a ~~geographical~~ geographic distribution along the coast. All appointed members are appointed for a term of 3 years, except a vacancy must be filled in the same manner as an original member for the unexpired portion of the term. An appointed member may not serve for more than 2 consecutive terms. Appointed members serve until 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 and the chair of the Aquaculture Advisory Council shall serve until a new chair of the Lobster Advisory Council, a new chair of the Sea Urchin Zone Council ~~or~~, a new chair of the Shellfish Advisory Council or a new chair of the Aquaculture Advisory Council, respectively, is chosen. Members are compensated as provided in Title 5, chapter 379.

Sec. 2. 12 MRSA §6080, as repealed by PL 2011, c. 344, §19 and reenacted by c. 598, §9, is amended to read:

§6080. Aquaculture Advisory Council

1. Appointment; composition. The Aquaculture Advisory Council, referred to in this section as ~~the "council"~~ "the council" and established by Title 5, section 12004-I, subsection 57-C, consists of ~~5~~ 7 members who are appointed by the commissioner as follows. ~~The commissioner or the commissioner's designee is a nonvoting, ex-officio member of the council. The commissioner shall appoint 4 members from the State's aquaculture industry. No more than 2 of the appointed members may represent similar segments of the State's aquaculture industry.~~

A. The commissioner shall appoint at least 5 and up to 6 members from the aquaculture industry. In making appointments under this paragraph, the commissioner shall ensure geographic representation as well as representation of multiple sectors of the aquaculture industry and representation of businesses operating at different scales within the aquaculture industry.

B. The commissioner shall appoint one member who is a member of the public with expertise in matters related to the work of the council. If the number of members appointed pursuant to paragraph A is fewer than 6, then the commissioner shall appoint one additional member who is a member of the public with expertise in matters related to the work of the council.

In making appointments, the commissioner may consider nominations from the council and from associations representing the interests of persons involved in the aquaculture industry.

2. Term. Council members serve for 3 years and continue serving until a successor is duly appointed and qualified. A member may not serve more than 2 consecutive terms. In the case of a vacancy, the commissioner shall promptly fill the vacancy.

3. Purpose. The council shall make recommendations to the commissioner and the joint standing committee of the Legislature having jurisdiction over marine resources matters concerning expenditures from the Aquaculture Management Fund for the purposes described under section 6072-D and concerning other matters of interest to the aquaculture industry.

A. Matters of interest to the aquaculture industry, including, but not limited to, the leasing and licensing process, seed source, animal health, gear, compliance and research; and

B. Expenditures from the Aquaculture Management Fund for the purposes described in section 6072-D, subsection 4.

The council shall bring forward to the commissioner matters of concern to the aquaculture industry and assist the commissioner with the dissemination of information to members of the aquaculture industry.

4. ~~Chair and officers~~ **Officers.** The officers of the council annually shall choose one of its members to serve as chair for a one-year term. The council may select other officers and designate their duties as the chair and vice-chair. The term of the officers is one year. The council shall elect a member of the council for each officer position at the first regular meeting of each year.

5. **Meetings.** The council shall meet at least ~~once~~ twice each year, and the meetings may not be held within the same quarter. It may also meet at other times at the call of the chair or the chair's designee or the commissioner or the commissioner's designee. The council may conduct a meeting by means of a conference call linking 2 or more members of the council.

7. **Compensation.** Council members are entitled to expenses according to Title 5, chapter 379, which are paid from the Aquaculture Management Fund established in section 6072-D.

Sec. 3. 12 MRSA §6465, sub-§2, as amended by PL 2021, c. 491, §3, is further amended to read:

2. Research, education and development board. The commissioner shall appoint a research, education and development board and consult with the board regarding the expenditures from the fund. The board is composed of ~~one member from each of the following organizations~~ the following individuals:

- ~~A. A statewide association representing the interests of persons who harvest lobster commercially;~~
- ~~B. An association representing the interests of persons who harvest lobster commercially in Washington and Hancock counties;~~
- ~~C. A southern Maine association representing the interests of persons who harvest lobster commercially;~~
- ~~D. A statewide import-export lobster dealers' association;~~
- ~~E. A statewide lobster pound owners' association;~~
- ~~F. A statewide lobster processors' association;~~
- ~~G. The Maine Lobster Marketing Collaborative under section 6455-A;~~
- ~~H. The Lobster Advisory Council established by Title 5, section 12004-I, subsection 58; and~~
- ~~I. An international lobster institute. This member must be a resident of the State.~~
- J. Three individuals representing the interests of persons who harvest lobster commercially. These individuals must reflect a geographic distribution along the coast of the State;

K. Three individuals representing the interests of persons who hold wholesale seafood licenses with lobster permits;

L. One individual representing the Maine Lobster Marketing Collaborative under section 6455-A;

M. One individual representing the Lobster Advisory Council established by Title 5, section 12004-I, subsection 58; and

N. One individual who has expertise in lobster science.

Members are entitled to compensation according to Title 5, chapter 379.