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Date: (Filing No. H- )

**MARINE RESOURCES**

Reproduced and distributed under the direction of the Clerk of the House.

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

COMMITTEE AMENDMENT “ ” to H.P. 240, L.D. 342, “An Act To Establish a Permanent Appointment of a Member of the Wabanaki Tribes to the Marine Resources Advisory Council”

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

**'An Act To Establish a Permanent Appointment of a Member of a Federally Recognized Indian Nation, Tribe or Band in the State to the Marine Resources Advisory Council'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 12 MRSA §6024, sub-§1-A**, as amended by PL 2019, c. 225, §3, 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 ~~15~~ 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 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 ~~7~~ 8 members must include 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, 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

**COMMITTEE AMENDMENT**

1 who is a member of a federally recognized Indian nation, tribe or band in the State based  
2 on the joint recommendation of the tribal governments of the Aroostook Band of Micmacs,  
3 the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe at Motahmikuk, the  
4 Passamaquoddy Tribe at Sipayik and the Penobscot Nation. If the tribal governments do  
5 not make a unanimous joint recommendation, the Governor shall appoint a member of a  
6 federally recognized Indian nation, tribe or band in the State and rotate the appointment  
7 among members of each federally recognized Indian nation, tribe or band in the State. The  
8 composition of the council must reflect a geographical distribution along the coast. All  
9 appointed members are appointed for a term of 3 years, except a vacancy must be filled in  
10 the same manner as an original member for the unexpired portion of the term. An appointed  
11 member may not serve for more than 2 consecutive terms. Appointed members serve until  
12 their successors are appointed. The chair of the Lobster Advisory Council, the chair of the  
13 Sea Urchin Zone Council and the chair of the Shellfish Advisory Council shall serve until  
14 a new chair of the Lobster Advisory Council, a new chair of the Sea Urchin Zone Council  
15 or a new chair of the Shellfish Advisory Council, respectively, is chosen. Members are  
16 compensated as provided in Title 5, chapter 379.'

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

### 19 SUMMARY

20 This amendment replaces the bill. The amendment:

21 1. Changes the references to the "Wabanaki Tribes" with the phrase "federally  
22 recognized Indian nation, tribe or band in the State" or "the Aroostook Band of Micmacs,  
23 the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe at Motahmikuk, the  
24 Passamaquoddy Tribe at Sipayik and the Penobscot Nation"; and

25 2. Permits the Governor to appoint to the Marine Resources Advisory Council a  
26 member of a federally recognized Indian nation, tribe or band in the State if the specified  
27 tribal governments do not submit a unanimous joint recommendation, in which event the  
28 Governor is required to rotate the appointment among members of each federally  
29 recognized Indian nation, tribe or band in the State.

### 30 FISCAL NOTE REQUIRED

31 (See attached)