

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
37

Date: (Filing No. H-)

INLAND FISHERIES AND WILDLIFE

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. 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

1 An employee of the department may not serve as a member of the advisory council prior
2 to the expiration of one year from that employee's last day of employment with the
3 department. A Legislator may not serve as a member of the advisory council. A former
4 Legislator who was a member of the joint standing committee of the Legislature having
5 jurisdiction over fisheries and wildlife matters may not serve as a member of the advisory
6 council prior to the expiration of one year from that former Legislator's last day of
7 membership on that committee.'

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

10 **SUMMARY**

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

18 **FISCAL NOTE REQUIRED**
19 **(See attached)**