§6024. Advisory council

1. Appointment; composition; term; compensation.
[PL 1989, c. 8, §1 (AMD); PL 1989, c. 503, Pt. B, §§59, 60 (RP).]

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, 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 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. 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 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, 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, 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.
[PL 2023, c. 556, §1 (AMD).]

2. Powers and duties; meetings; officers. The council shall give the commissioner information and advice concerning the administration of the department and carry out other duties specifically delegated by marine resources' laws. The council shall hold regular quarterly meetings with the commissioner, or the commissioner's designee, and may hold special meetings at any time. The council shall elect one of its members as chair, one as vice-chair and one as secretary, all for a term of one year, at the first regular meeting in each year. The officers have the following duties.

A. The chair shall call and preside at all meetings of the council. [PL 1995, c. 382, §3 (AMD).]

B. The vice-chair shall call and preside at all meetings of the council in the chair's absence. [PL 1995, c. 382, §3 (AMD).]

C. The secretary shall cause records to be taken and to be preserved of all meetings of the council. [PL 1977, c. 661, §5 (NEW).]
[PL 1995, c. 382, §3 (AMD).]

3. Quorum. A quorum shall be a majority of the current members of the council.
[PL 1977, c. 661, §5 (NEW).]

4. Council actions. An affirmative vote of a majority of the members present at a meeting or polled shall be required for any action. No action may be considered unless a quorum is present or, if there is no meeting, a quorum responds to a written poll.
[PL 1977, c. 661, §5 (NEW).]

5. Research oversight. The commissioner shall annually report to the council on the research of the department. The report shall include the present research plan and its implementation, any necessary revision of the plan and its necessary extension over the planning period. The council may appoint marine scientists, who are not employees of the department, to advise it in considering the research plan. After completing its review, the council shall report the plan, and any recommendations or comments, to the joint standing committee of the Legislature having jurisdiction over marine resources.
[PL 1985, c. 481, Pt. A, §36 (AMD).]

SECTION HISTORY

PL 1977, c. 661, §5 (NEW). PL 1977, c. 713, §1 (AMD). PL 1979, c. 127, §83 (AMD). PL 1979, c. 357 (AMD). PL 1983, c. 383, §1 (AMD). PL 1983, c. 812, §81 (AMD). PL 1985, c. 481, §§A35,36 (AMD). PL 1987, c. 694, §1 (AMD). PL 1989, c. 8, §§1,2 (AMD). PL 1989, c. 503, §§B59-62 (AMD). PL 1989, c. 788, §1 (AMD). PL 1995, c. 382, §§2,3 (AMD). PL 1999, c. 85, §2 (AMD). PL 2007, c. 176, §1 (AMD). PL 2007, c. 240, Pt. QQ, §2 (AMD). PL 2007, c. 615, §3 (AMD). PL 2007, c. 695, Pt. K, §1 (AMD). PL 2009, c. 369, Pt. A, §23 (AMD). PL 2019, c. 225, §3 (AMD). PL 2021, c. 71, §1 (AMD). PL 2021, c. 676, Pt. D, §4 (AMD). PL 2023, c. 207, §4 (AMD). PL 2023, c. 556, §1 (AMD).

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