

§1131. Establishment of commission

1. Establishment of commission. The River Flow Advisory Commission, as established by Title 5, section 12004-G, subsection 13-E and referred to in this section as the "commission," shall act as a technical advisory commission to the department and the Governor's office on issues of flow of the State's rivers and streams. The commission shall also facilitate communication of river flow data between dam operators, river basin managers, state agencies, the United States Geological Survey and the National Weather Service during floods and droughts and shall administer the State's hydrologic monitoring program in cooperation with the United States Geological Survey.

[PL 2001, c. 662, §99 (NEW).]

2. Membership. The commission is composed of these members:

A. The Director of the Maine Emergency Management Agency or the director's designee; [PL 2003, c. 404, §11 (AMD).]

B. The State Geologist or the State Geologist's designee; [PL 2001, c. 662, §99 (NEW).]

C. The Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee; [PL 2001, c. 662, §99 (NEW); PL 2011, c. 657, Pt. W, §6 (REV).]

D. The Commissioner of Environmental Protection or the commissioner's designee; [PL 2001, c. 662, §99 (NEW).]

E. The Commissioner of Inland Fisheries and Wildlife or the commissioner's designee; [PL 2001, c. 662, §99 (NEW).]

F. The Commissioner of Marine Resources or the commissioner's designee; [PL 2001, c. 662, §99 (NEW).]

G. [PL 2011, c. 655, Pt. HH, §5 (RP); PL 2011, c. 655, Pt. HH, §7 (AFF).]

H. The Commissioner of Transportation or the commissioner's designee; [PL 2001, c. 662, §99 (NEW).]

I. The District Chief of the United States Geological Survey Water Resources Division Maine District Office; [PL 2001, c. 662, §99 (NEW).]

J. The Meteorologists-in-Charge of the National Weather Service Forecast Offices in this State or the designee of the Meteorologists-in-Charge; [PL 2003, c. 404, §12 (AMD).]

K. Representatives from private commerce and industry, including, but not limited to, the major hydroelectric power generators, as determined by the cochairs of the commission; [PL 2003, c. 404, §12 (AMD).]

L. A representative of the public, appointed by the Governor; [PL 2003, c. 404, §12 (AMD).]

M. The Commissioner of Health and Human Services or the commissioner's designee; and [PL 2003, c. 404, §13 (NEW); PL 2003, c. 404, Pt. B, §7 (REV).]

N. The director of the Senator George J. Mitchell Center for Environmental and Watershed Research at the University of Maine, or the director's designee. [PL 2003, c. 404, §13 (NEW).]
[PL 2011, c. 655, Pt. HH, §5 (AMD); PL 2011, c. 655, Pt. HH, §7 (AFF); PL 2011, c. 657, Pt. W, §6 (REV).]

3. Chair. The District Chief of the United States Geological Survey Water Resources Division Maine District Office and the Director of the Maine Emergency Management Agency or the director's designee shall act as cochairs of the commission.

[PL 2003, c. 404, §14 (AMD).]

4. Terms of office. The term of office of the public member is 5 years. The public member may be removed from office for cause by the Governor. Members from the State Government or Federal Government shall serve a term coincident with their governmental position. Members from private commerce and industry serve a term as determined by the respective entities that they represent. [PL 2003, c. 404, §14 (AMD).]

5. Voting. A quorum of at least 7 members must be present for voting. [PL 2001, c. 662, §99 (NEW).]

6. Administrative provision. The Maine Emergency Management Agency shall administer the affairs and activities of the commission. [PL 2001, c. 662, §99 (NEW).]

7. Records. The commission shall keep accurate records of its proceedings and shall file them with the Maine Emergency Management Agency. [PL 2001, c. 662, §99 (NEW).]

8. Compensation. Members of the commission are not entitled to receive compensation. [PL 2001, c. 662, §99 (NEW).]

9. Meetings. The commission shall meet at least once per calendar year at the call of either of the cochairs to review hydrologic conditions prior to the spring snowmelt and runoff for the purpose of issuing an advisory statement on the potential for major river flooding. Either of the cochairs may call additional meetings as needed. [PL 2001, c. 662, §99 (NEW).]

10. Powers and duties. The commission has the power and duty only to:

A. Advise the department and the Governor on issues of flow within the State's rivers and streams; [PL 2001, c. 662, §99 (NEW).]

B. Assist in communication of river flow data between dam operators, river basin managers, state agencies and federal agencies; and [PL 2001, c. 662, §99 (NEW).]

C. Administer the State's cooperative hydrologic monitoring program in cooperation with the United States Geological Survey. [PL 2001, c. 662, §99 (NEW).]

[PL 2001, c. 662, §99 (NEW).]

SECTION HISTORY

PL 2001, c. 662, §99 (NEW). PL 2003, c. 404, §§11-14 (AMD). PL 2003, c. 689, §B7 (REV). PL 2011, c. 655, Pt. HH, §5 (AMD). PL 2011, c. 655, Pt. HH, §7 (AFF). PL 2011, c. 657, Pt. W, §6 (REV).

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