

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1370

S.P. 496

In Senate, April 26, 1989

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator ESTES of York.

Cosponsored by Representative ROLDE of York, Representative LAWRENCE of Kittery and Representative McPHERSON of Eliot.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

Resolve, to Study the Feasibility of Establishing a Piscataqua River Basin Compact between Maine and New Hampshire

(EMERGENCY)



1 **Emergency preamble.** Whereas, Acts and resolves of the
Legislature do not become effective until 90 days after
3 adjournment unless enacted as emergencies; and

5 **Whereas,** there are numerous immediate and pressing concerns
about the use of water resources in the Piscataqua River Basin
7 and environs, including concerns arising from increased river
traffic, identified hazardous waste sites, discharges of sewerage
9 that impair shellfish beds and greatly increased development
pressures within the basin; and

11 **Whereas,** these concerns arise from ongoing activities that
13 degrade the quality of limited resources within the basin and
therefore must be addressed immediately; and

15 **Whereas,** a study commission is proposed to address these
17 concerns and propose remedial actions and legislation to
alleviate negative impact; and

19 **Whereas,** a study is most efficiently and economically
21 conducted during the summer months and must be initiated quickly
so that legislation may be proposed to the next session of the
23 Legislature; and

25 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
27 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
29 safety; now, therefore, be it

31 **Study commission created and charged. Resolved:** That there is
established the Commission to Study the Feasibility of
33 Establishing a Piscataqua River Basin Compact between Maine and
New Hampshire. The commission shall study the conditions
35 existing within the Piscataqua River Basin and the feasibility of
establishing an interstate compact to create a Piscataqua River
37 Basin Authority to be jointly created by the states of Maine and
New Hampshire and given either regulatory or advisory
39 responsibility for activities within the basin which have an
interstate impact, such as recreational boating, pollution
41 control, fishing, shellfish harvesting, waterfront development,
dredging, navigation and the preservation of wetlands and public
43 access; and be it further

45 **Appointment. Resolved:** That the study commission shall
consist of 11 members. There shall be one Senator appointed by
47 the President of the Senate; 2 members of the House of
Representatives appointed by the Speaker of the House of
49 Representatives; one person appointed by the Governor; the
Director of the Maine Coastal Program; and one municipal
51 official, one representative of the commercial fishing industry,
one representative of recreational boaters, one representative of

1 an environmental organization, one representative of a municipal
3 port authority or a designee who may be a harbor master and one
5 representative of a conservation commission, all appointed
7 jointly by the Speaker of the House of Representatives and the
9 President of the Senate. The Speaker of the House of
Representatives and the President of the Senate shall promptly
notify the Legislative Council of the appointments; and be it
further

Convening of commission. Resolved: That, when the appointment
11 of all commission members is completed, the chair of the
13 Legislative Council shall call the first meeting on or before
15 August 1, 1989. At the first meeting, the members shall elect a
chair and other officers; and be it further

Interstate cooperation. Resolved: That the members of the 114th
17 Legislature of the State of Maine respectfully request the
19 members of the legislature of the state of New Hampshire to
21 consider the establishment of a parallel study commission under
23 the authority of that state and further direct the commission
25 established by this resolve to cooperate fully with officials,
27 legislators and citizens of New Hampshire in the conduct of the
study and development of the findings of the commission and
further direct the commission to solicit from the officials,
legislators and residents of that state their views on the
desirability of an interstate authority having either regulatory
jurisdiction or advisory powers; and be it further

Report. Resolved: That the commission shall complete its
29 study by November 1, 1989, and present its findings, together
31 with any recommended legislation to the 114th Legislature by
December 1, 1989; and be it further

Assistance. Resolved: That, if staff assistance is desired,
35 assistance shall be requested from the Legislative Council; and
be it further

Compensation. Resolved: That the members of the commission
37 who are Legislators shall receive the legislative per diem, as
39 defined in the Maine Revised Statutes, Title 3, section 2, for
41 each day's attendance at meetings and all members shall receive
43 reimbursement expenses upon application to the Executive Director
of the Legislative Council; and be it further

Appropriation. Resolved: That the following funds are
45 appropriated from the General Fund to carry out the purposes of
47 this resolve.

LEGISLATURE

Commission to Study the Feasibility of Establishing a Piscataqua River Basin Compact between Maine and New Hampshire

11	Personal Services	\$1,500
	All Other	1,500
13		
15	Provides funds for legislative per diem for legislative members and travel and related expenses for all members of the commission.	
17		
19		
21	LEGISLATURE TOTAL	\$3,000
23		

Emergency clause. In view of the emergency cited in the preamble, this resolve shall take effect when approved.

STATEMENT OF FACT

This resolve establishes a study commission to determine the feasibility of establishing a Piscataqua River Basin compact. The purpose of the study is to determine whether some type of interstate authority between Maine and New Hampshire is necessary or desirable for the proper maintenance of the Piscataqua River Basin and whether such an authority should have regulatory or advisory powers. It is the intent of the Legislature that this commission fully cooperate with and, to the maximum extent feasible, involve officials, legislators and residents of the state of New Hampshire in reaching its determinations and making its findings.