

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

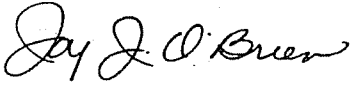
No. 2160

S.P. 841

In Senate, January 9, 1990

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

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


JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator KANY of Kennebec.

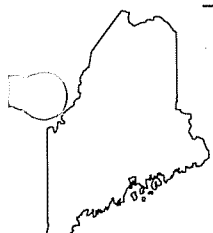
Cosponsored by Representative SIMPSON of Casco, Representative LORD of Waterboro and Senator TITCOMB of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

Resolve, to Study Threats to Maine Lakes .

(EMERGENCY)



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

Whereas, the lakes of the State represent an invaluable
natural resource; and

Whereas, the quality of lake water is being threatened by
increasing land development; and

Whereas, the study proposed by this resolve must be
completed in time for a report to be submitted to the First
Regular Session of the 115th Legislature and, therefore, it is
essential that this study be initiated as soon as possible; and

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

Be it enacted by the People of the State of Maine as follows:

Sec. 1. Legislative findings. Resolved: That the Legislature
finds the following.

1. Maine has more than 5,000 lakes that represent a natural
resource of enormous value to the State's environment, economy
and quality of life.

2. Increased development pressures in the watersheds of
Maine lakes are resulting in the degradation of lake water
quality.

3. State and local governments do not have the capacity to
effectively enforce land use and boating laws on Maine lakes.

4. There has been an increase in the number of conflicts
between the use of motorized watercraft on some Maine lakes and
the protection of lake resources and traditional opportunities
for recreational uses.

5. Lakes identified by the State as having outstanding
resources value are increasingly being threatened by development;
and be it further

Sec. 2. Study of threats to Maine lakes. Resolved: That the
Commission on Maine Lakes is established to study current and
future threats to the quality of Maine lakes; and be it further

Sec. 3. Commission membership; chair. Resolved: That the
commission consists of the following 11 members:

2 1. One Senator serving on the Joint Standing Committee on
Energy and Natural Resources, to be appointed by the President of
the Senate;

4
6 2. One Senator serving on the Joint Standing Committee on
Fisheries and Wildlife, to be appointed by the President of the
Senate;

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10 3. Three members of the House of Representatives serving on
the Joint Standing Committee on Energy and Natural Resources, to
be appointed by the Speaker of the House of Representatives;

12
14 4. Two members of the House of Representatives serving on
the Joint Standing Committee on Fisheries and Wildlife, to be
appointed by the Speaker of the House of Representatives; and

16
18 5. One member from each of the following groups, to be
appointed jointly by the President of the Senate and the Speaker
of the House of Representatives:

20
22 A. A planning board member, municipal official or code
enforcement officer;

24 B. A water quality expert, fisheries biologist or biologist;

26 C. A member of a lake association; and

28 D. A member of a sport alliance.

30 The commission shall select a chair from its membership; and
be it further

32
34 **Sec. 4. Appointment. Resolved:** That all appointments be made
no later than 30 days following the effective date of this
resolve; and be it further

36
38 **Sec. 5. Duties. Resolved:** That the commission shall undertake
a study of threats to the future of Maine lakes. As part of the
study, the commission shall examine:

40
42 1. The adequacy of enforcement capabilities at the state
and local levels of government to ensure compliance with land use
and boating laws on Maine lakes;

44
46 2. The extent and significance of conflicts between the use
of certain types of motorized watercraft on some Maine lakes and
the protection of lake resources and traditional opportunities
for recreational uses;

48
50 3. The increasing levels of phosphorus runoff into Maine
lakes and tributaries and the threat it poses to lake water
52 quality; and

2 4. The protection of natural resources on lakes identified
by the State as having exemplary qualities.

4 The commission shall review available information on the
enforcement of Maine land use and boating laws, the increasing
6 levels of phosphorus pollution in Maine lakes and the
identification of lakes with outstanding natural resources. The
8 commission shall examine the experiences of other states which
have taken actions to protect lake resources. The commission
10 shall hold public meetings around the State seeking public input
on threats to Maine lakes and solutions for addressing those
12 threats; and be it further

14 **Sec. 6. Staff. Resolved:** That, at the request of the
commission, the Department of Inland Fisheries and Wildlife, the
16 Department of Environmental Protection and the Department of
Conservation shall provide sufficient staff assistance to carry
18 out these duties; and be it further

20 **Sec. 7. Reimbursement. Resolved:** That commission members are
entitled to receive legislative per diem and to be reimbursed for
22 all expenses and to be compensated pursuant to the Maine Revised
Statutes, Title 3, section 2. The Chair of the Legislative
24 Council shall convene the first meeting of the commission no
later than 30 days following the effective date of this resolve;
26 and be it further

28 **Sec. 8. Report. Resolved:** That the Commission on Maine Lakes
shall report its findings, together with any legislative
30 recommendations, to the Joint Standing Committee on Energy and
Natural Resources by January 31, 1991; and be it further

32 **Sec. 9. Appropriation. Resolved:** That the following funds are
34 appropriated from the General Fund to carry out the purposes of
this Act.

36 1989-90 1990-91

38 **LEGISLATURE**

40 **Commission on Maine Lakes**

42 Personal Services \$605 \$3,025
44 All Other 800 4,900

46 Provides funds for the per
diem travel and related
48 expenses of the Commission on
Maine Lakes. These funds do
50 not lapse but carry forward.

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**LEGISLATURE
TOTAL**

\$1,405 \$7,925

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

FISCAL NOTE

This resolve requires a General Fund appropriation of \$1,405 in fiscal year 1989-90 and \$7,925 in fiscal year 1990-91 to fund the expenses of the Commission on Maine Lakes. The Department of Conservation, the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife will be able to absorb the cost of providing staff assistance to the commission within their respective budgets.

STATEMENT OF FACT

This resolve establishes the Commission on Maine Lakes to examine current and future threats to Maine lakes.