

# MAINE STATE LEGISLATURE

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L.D. 1243

DATE: 6/16/95

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**NATURAL RESOURCES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
117TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 890, L.D. 1243, Bill, "An Act to Reestablish the Great Pond Task Force"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

**Sec. 1. 5 MRSA §3305, sub-§1, ¶H,** as amended by PL 1991, c. 780, Pt. DDD, §21, is further amended to read:

H. Compile, analyze and maintain information useful to the development of industry in the State concerning resources, sites, space, equipment, adequate housing, contracts, materials, transportation, markets, labor supply, population trends and other economic considerations and shall measure and monitor economic distress and poverty in the State on an ~~en-going~~ ongoing basis. The State Planning Office, in conjunction with the Department of Economic and Community Development, shall study problems peculiar to the industry and economy of this State with a view toward the broader utilization of our natural resources, which studies ~~shall~~ must be advanced by coordination of research with existing private and governmental agencies and educational institutions, and may be advanced by contractual relations with persons or organizations equipped to conduct the needed research. The State Planning Office shall, upon request from the Governor or any state department, assist in the preparation of reports regarding the responsibilities and duties provided by this subsection, including regular analysis of poverty and economic distress. The State Planning Office shall coordinate its activities pursuant to

**COMMITTEE AMENDMENT**

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this paragraph with the Bureau of Child and Family Services to meet the annual reporting needs of the bureau; and

Sec. 2. 5 MRSA §3305, sub-§1, ¶K, as enacted by PL 1989, c. 501, Pt. DD, §12, is further amended to read:

K. Coordinate the development of energy policy, including:

(1) Collecting and analyzing energy data from all available energy sources in the State. The director shall afford confidential treatment to information, documents and data dealing with sales of individual companies that are engaged in the wholesale and retail trade of petroleum products in the State, upon request of the individual companies;

(2) Preparation of an energy resources plan to be submitted to the Governor and the Legislature every 2 years that includes a description of historical energy demand by end-use sector and energy resources used to meet that demand and a forecast of energy demand by end-use sector for the next 5 years, 10 years and 20 years, which shall include an electric and gas forecast;

(3) Encouragement and direction or sponsorship of research, experiments and demonstration projects within the State to develop alternate energy sources, particularly, but not limited to, those sources that rely on renewable natural resources of the State, such as solar energy, water of tides and rivers, forests, winds and other sources which that to date have not been fully explored or utilized; and

(4) Provision of conservation alternatives to proposed new electric power generating plants and assessment of the long-term and short-term energy savings realized by the conservation alternatives; and

Sec. 3. 5 MRSA §3305, sub-§1, ¶L is enacted to read:

L. Review and update the great ponds management strategy developed by the Great Pond Task Force pursuant to Title 38, section 1843-A at least every 5 years, based on the goals and principles set forth in the original strategy report.

Sec. 4. 5 MRSA §12004-I, sub-§22-C is enacted to read:

<u>22-C.</u>	<u>Great Pond</u>	<u>Expenses</u>	<u>38 MRSA</u>
<u>Environment</u>	<u>Task Force</u>	<u>Only</u>	<u>§1842-A</u>

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2 This subsection is repealed December 31, 1998.

4 **Sec. 5. 38 MRSA §1842-A is enacted to read:**

6 **§1842-A. Great Pond Task Force**

8 There is established, pursuant to Title 5, section 12004-I,  
10 subsection 22-C, the Great Pond Task Force, referred to in this  
12 chapter as the "task force," to develop a strategy to coordinate  
14 the State's great pond protection efforts in a manner that  
16 incorporates a watershed and ecosystem management approach and to  
18 assist in implementation of the strategy.

20 **1. Composition.** The task force is composed of the State  
22 Planning Director, or the director's designee, who serves as  
24 chair; the Commissioner of Conservation, the Commissioner of  
26 Environmental Protection, the Commissioner of Transportation, the  
28 Commissioner of Agriculture, Food and Rural Resources, the  
30 Commissioner of Inland Fisheries and Wildlife, and the  
32 Commissioner of Economic and Community Development, or the  
34 commissioners' designees; the Director of the Division of Health  
36 Engineering within the Department of Human Services or the  
38 director's designee; the Director of the Natural Resources Center  
40 at the University of Maine or the director's designee; a nominee  
42 of the Maine Municipal Association appointed by the Governor; a  
44 nominee of the Sportsman's Alliance of Maine appointed by the  
46 Governor; a nominee of the Maine Forest Products Council  
48 appointed by the Governor; and not less than 4 nor more than 10  
50 public members appointed by the Governor representing  
environmental concerns, recreational concerns, the concerns of  
landowners, the interests of water utilities and the concerns of  
other interested parties.

**2. Terms.** Members are appointed for the duration of the  
task force authorization.

**3. Duties.** The task force shall:

**A.** In developing the management strategy as directed under  
section 1843-A, solicit input from the public, municipal  
officers and interested organizations;

**B.** Identify new major public policy issues associated with  
the use, conservation and management of the State's great  
ponds;

**C.** Develop guidelines for state rules governing surface  
uses of great ponds that avoid or minimize conflicts between  
user groups;

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- 2           D. Develop a great pond classification system according to  
4           the intensity of development and use of the great pond,  
          consistent with the classification system used by the Maine  
6           Land Use Regulation Commission;
  
- 8           E. Develop an implementation strategy for public access and  
          land acquisition on great ponds;
  
- 10          F. Develop a plan for strengthening enforcement for  
12          violations occurring on and around great ponds through  
14          training, equipping and funding municipal enforcement. This  
16          plan must include a review of appropriate funding  
          mechanisms, including dedicated funds, and recommendations  
          for streamlining the enforcement process for violations  
          occurring on and around great ponds;
  
- 18          G. Recommend a mechanism for educating the public about  
20          water quality, surface use and land use planning;
  
- 22          H. Subject to available funding, develop a plan for phasing  
24          out substandard wastewater disposal systems around great  
          ponds pursuant to this chapter;
  
- 26          I. Recommend a mechanism for coordinating great pond issues  
28          that involve roles of multiple agencies within state  
          government and between state and local governments; and
  
- 30          J. Determine the economic benefits of great ponds to the  
          State's inland economy.

32           4. Staff; expenses. The State Planning Office shall  
34           provide funding and staff assistance to the task force. Members  
          of the task force are entitled to reimbursement for expenses, as  
36           provided in Title 5, section 12004-I.

38           5. Repeal. This section is repealed December 31, 1998.

40           Sec. 6. 38 MRSA §1843-A is enacted to read:

42           §1843-A. Great ponds management strategy

44           The task force shall develop a state great ponds management  
          strategy in keeping with the goals of section 1841 by January 1,  
46           1997.

48           1. Goals. The strategy must include a statement of goals  
          for great ponds that includes, but is not limited to:

2 A. Maintaining water quality in the State's great ponds or,  
3 where water quality is already degraded, restoring it so  
4 that algal blooms do not occur;

6 B. Ensuring that water quality is protected from long-term  
7 and cumulative increases in pollution;

8 C. Maintaining the ecological functions, biological  
9 diversity and important habitat of the natural ecosystem;

10 D. Avoiding the increase of natural hazards such as  
11 flooding;

14 E. Protecting the quality of drinking water;

16 F. Maintaining the traditional use and character of great  
17 ponds and their environs; and

18 G. Ensuring that the public has reasonable access to all  
19 great ponds.

22 2. Prevention efforts. In allocating state resources for  
23 great ponds management, the strategy must give priority to  
24 preventing the deterioration of water quality over restoration  
25 efforts.

26 3. Research. The strategy must include a research plan to  
27 determine significant existing or potential threats to water  
28 quality and other special values.

30 4. Report. The task force shall submit the strategy to the  
31 Governor and the Legislature by January 1, 1997.

34 5. Repeal. This section is repealed December 31, 1998.'

36 Further amend the bill by inserting at the end before the  
37 statement of fact the following:

38 **FISCAL NOTE**

40 The State Planning Office within the Executive Department  
41 will incur some minor additional costs to provide staffing  
42 assistance and to pay the expenses of the task force members.  
43 These costs can be absorbed within the office's existing budgeted  
44 resources.

45 The minor additional costs to participate in the Great Pond  
46 Task Force can be absorbed within the existing budgeted resources  
47 of the member state departments and agencies.'

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**STATEMENT OF FACT**

The amendment allows the Governor to appoint up to 6 additional public members to the Great Pond Task Force, to ensure that all interested parties are represented. The amendment also amends the duties of the task force, extends the deadline for reporting a management strategy to January 1, 1997 and specifies that the State Planning Office shall provide staffing and funding for the task force and review and update the management strategy every 5 years.

The amendment also adds a fiscal note to the bill.