MAINE STATE LEGISLATURE

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L.D. 1730

Me

DATE:	March 31, 1998	(Filing No.	S-686)

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STATE OF MAINE SENATE 118TH LEGISLATURE SECOND REGULAR SESSION

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SENATE AMENDMENT " \mathcal{C} " to COMMITTEE AMENDMENT "A" to S.P. 573, L.D. 1730, Bill, "An Act to Implement the Recommendations of the Great Pond Task Force"

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Amend the amendment by striking out all of section 2.

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Further amend the amendment by inserting after section 17 the following:

'Sec. 18. Recommendations for regulating the use, operation and

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type of watercraft for great ponds within the organized areas of the State. A municipality, with the approval of its legislative body, may submit recommendations to the Commissioner of Inland Fisheries and Wildlife for regulating the use, operation and type of watercraft on great ponds within the jurisdiction of that For great ponds that border more than one municipality. municipality, recommendations may be submitted only approval by the legislative bodies of all municipalities in which those waters are located. For great ponds that border lands within the jurisdiction of the Maine Land Use Regulation Commission, the approval of the commission is also required. a municipality chooses to prepare recommendations for such waters, it shall take into consideration the use to which those waters are put, the depth of the water, the amount of water-borne traffic on the waters, wildlife and environmental values, noise, traditional uses of the water body and the safety of persons and property. These recommendations may be submitted only after a public hearing and must include a description of the resources the municipality or municipalities will use to enforce those regulations if enacted.

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SENATE AMENDMENT "C" to COMMITTEE AMENDMENT "A" to S.P. 573, L.D. 1730

The commissioner shall submit a report to the First Regular Session of the 119th Legislature by January 15, 1999 on the recommendations received from municipalities prior to November 1, 1998 and shall submit a report to the Second Regular Session of the 119th Legislature on the recommendations received from municipalities between November 1, 1998 and October 30, 1999. Each report must be accompanied by legislation implementing the municipal recommendations supported by the Department of Inland Fisheries and Wildlife. That legislation may also include recommendations of the department, developed using the criteria in this section, for waters not addressed in the municipal proposals.'

14 Further amend the amendment by striking out all of section 19.

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Further amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

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FISCAL NOTE

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1997-98

1998-99

APPROPRIATIONS/ALLOCATIONS

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General Fund

(\$257,000)

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By deleting the provision that authorizes the Commissioner of Inland Fisheries and Wildlife to regulate the use, operation and type of watercraft on great ponds, this amendment also removes the need for additional General Fund appropriations for the department beginning in fiscal year 1998-99.

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The department will incur some minor additional costs to submit a required report to the Legislature pertaining to certain recommendations received from municipalities. These costs can be absorbed within the department's existing budgeted resources.

The Land Use Regulation Commission within the Department of Conservation may incur some minor additional costs to approve any recommendations pertaining to the regulation of watercraft on great ponds within its jurisdiction. These costs can be absorbed within the commission's existing budgeted resources.

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SUMMARY

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This amendment removes the provision in the majority report authorizing the Commissioner of Inland Fisheries and Wildlife to

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SENATE AMENDMENT

SENATE AMENDMENT "C" to COMMITTEE AMENDMENT "A" to S.P. 573, L.D. 1730

regulate the use, operation and type of watercraft on great ponds. This leaves the department with its existing authority to regulate horsepower of watercraft based on safety issues when petitioned to do so.

The amendment also adds an unallocated section to the bill requiring the Commissioner of Inland Fisheries and Wildlife to submit a report to the first and second regular sessions of the 119th Legislature on the use, operation and type of watercraft on great ponds within the organized areas of the State based on recommendations voluntarily submitted to the commissioner by the municipalities in 1998 and 1999. Each report must be accompanied by legislation to implement municipal recommendations supported by the department and may include additional proposals from the department itself. Municipalities that choose to submit recommendations must first hold a public hearing and must include a description of the resources the municipality or municipalities will use to enforce those regulations if enacted.

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SPONSORED BY:

(Senator KILKELLY)

26 COUNTY: Lincoln

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