

MAINE STATE LEGISLATURE

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RM
R.S.

L.D. 2346

DATE: 3-15-00

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INLAND FISHERIES AND WILDLIFE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1680, L.D. 2346, Bill, "An Act to Extend the Time Period for Municipalities to Make Recommendations Concerning Great Pond Surface Use Restrictions"

Amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. PL 1997, c. 739, §17, as amended by PL 1999, c. 313, §1, is further amended to read:

Sec. 17. Recommendations for regulating the use, operation and 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 municipality. For great ponds that border more than one municipality, recommendations may be submitted only after 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. If 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. Recommendations must be accompanied by a written explanation of the rationale for each recommendation and an explanation of what issues were considered in the development of

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2 each recommendation. These recommendations may be submitted only
4 after a public hearing and must include a description of the
6 resources the municipality or municipalities will use to enforce
8 or assist in the enforcement of those regulations if enacted.
For any municipality whose legislative body is the town meeting,
recommendations may only be considered and approved during the
annual town meeting held pursuant to the Maine Revised Statutes,
Title 30-A, section 2525.

10 The commissioner shall submit a report to the First Regular
12 Session of the 119th Legislature by January 15, 1999 on the
14 recommendations received from municipalities prior to November 1,
16 1998 and shall submit a report to the ~~Second~~ First Regular
18 Session of the ~~119th~~ 120th Legislature on the recommendations
20 received from municipalities between November 1, 1998 and ~~October~~
22 ~~30, 1999~~ December 1, 2000. During 2000, recommendations may be
24 initially submitted to the department only during the month of
26 July, although materials supplementing any municipality's
28 recommendations may be submitted until December 1, 2000. For the
purposes of this section, a letter to the commissioner indicating
an intent to submit recommendations, including a timeline for
submitting those materials, satisfies the requirements of an
initial submission. 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.'

30 Further amend the bill by inserting at the end before the
32 summary the following:

34 **FISCAL NOTE**

36 The Department of Inland Fisheries and Wildlife will incur
38 some minor additional costs to submit a required report to the
40 Legislature. These costs can be absorbed within the department's
existing budgeted resources.'

42 **SUMMARY**

44 This amendment extends until December 1, 2000 the deadline
46 for municipalities to submit recommendations to the Department of
48 Inland Fisheries and Wildlife on great pond surface use
restrictions. Initial recommendation packages in 2000 may be
submitted only during July, although material supplementing any
municipality's recommendations may be submitted until December 1,

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2 2000. Those recommendations will be considered by the Legislature
in the First Regular Session of the 120th Legislature.

4 The amendment also requires that towns include a written
6 explanation of the rationale for each recommendation and an
8 explanation of what issues were considered in the development of
each recommendation and requires that in a town whose legislative
10 body is the town meeting, recommendations may only be considered
and approved during the annual town meeting held pursuant to the
Maine Revised Statutes, Title 30-A, section 2525. The amendment
12 also adds a fiscal note.

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