

# MAINE STATE LEGISLATURE

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5/11/10

Date: 2-9-10

(Filing No. S-363)

AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE

SENATE

124TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 262, L.D. 687, "Resolve, To Authorize the Department of Conservation To Place Priority on Access to Certain Prominent Water Bodies under the Land for Maine's Future Fund"

Amend the resolve by striking out the title and substituting the following:

'Resolve, To Direct the Department of Conservation To Seek To Acquire Public Access to the Dead River'

Amend the resolve by striking out everything after the title and before the summary and inserting the following:

'Sec. 1. Access to the Dead River; direction to the Department of Conservation. Resolved: That the Department of Conservation shall seek to acquire a public right-of-way approximately 16 miles in length along the Lower Enchanted Road, from Route 201 in West Forks Plantation westward to and including an area commonly used for vehicle parking, trip staging and watercraft access to the Dead River near its confluence with Spencer Stream.

The Department of Conservation shall exhaustively pursue all opportunities to acquire the public right-of-way through participating in any process by which public access via easements or fee acquisitions might reasonably be solicited and obtained; and be it further

Sec. 2. No obligation to maintain. Resolved: That the Department of Conservation may assume but is not required to assume any obligation to improve or maintain the right-of-way at public expense; and be it further

Sec. 3. Request for funds. Resolved: That the Department of Conservation shall seek public and private funds to acquire public access to the Dead River via easements or fee acquisitions; and be it further

Sec. 4. Report. Resolved: That the Department of Conservation shall report to the joint standing committee of the Legislature having jurisdiction over conservation

COMMITTEE AMENDMENT

1 matters no later than January 10, 2011 on the status of negotiations for access to the Dead  
2 River; and be it further

3 **Sec. 5. Bill authorized. Resolved:** That the joint standing committee of the  
4 Legislature having jurisdiction over conservation matters may submit a bill relating to  
5 public access to the Dead River to the First Regular Session of the 125th Legislature.'

6 **SUMMARY**

7 This amendment replaces the resolve. It directs the Department of Conservation to  
8 seek to acquire a public right-of-way along approximately 16 miles of the Lower  
9 Enchanted Road, from Route 201 in West Forks Plantation westward to an area used for  
10 vehicle parking and launching watercraft into the Dead River. It specifies that the  
11 department is not required to assume an obligation to improve or maintain the right-of-  
12 way at public expense. It directs the department to seek private and public funds to  
13 secure public access via easements or fee acquisitions. It requires the department to  
14 report to the joint standing committee of the Legislature having jurisdiction over  
15 conservation matters no later than January 10, 2011 and authorizes the committee to  
16 submit a bill to the First Regular Session of the 125th Legislature.

17 **FISCAL NOTE REQUIRED**

18 (See attached)



# 124th MAINE LEGISLATURE

LD 687

LR 1533(02)

**Resolve, To Authorize the Department of Conservation To Place Priority on Access to Certain Prominent Water Bodies under the Land for Maine's Future Fund**

**Fiscal Note for Bill as Amended by Committee Amendment "A"**

**Committee: Agriculture, Conservation and Forestry**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Additional costs to the Department of Conservation associated with pursuing opportunities to acquire a public right of way to the Dead River can be absorbed within existing budgeted resources.