

MAINE STATE LEGISLATURE

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SMC
R. 10/8

Date: 6/6/11

L.D. 69

(Filing No. H-552)

Minority

STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 57, L.D. 69, Bill, "An Act To Restore the Historical Town Boundary between Harpswell and Brunswick"

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

'Sec. 1. Boundary line between the Town of Harpswell, the Town of West Bath and the Town of Brunswick. The portion of the common boundary of the Town of Harpswell, County of Cumberland, the Town of West Bath, County of Sagadahoc and the Town of Brunswick, County of Cumberland is that certain boundary created and described in Province of Massachusetts Bay, Province Laws 1738-39, Chapter 28, enacted January 26, 1738, described as follows: beginning at the mouth of a river or creek that runs to Stephen's Landing, now known as the New Meadows River, to run by the water-side, south-westerly, to the south-west point of a place called the new meadows; thence, to strike across the cove, upon a course north-north-west, till it meets and intersects the upper end of Merryconeeg neck, four rods above the narrows of said neck, commonly called the carrying-place; thence to run along the shore to a neck of land called Mare Point, and a mile and a quarter down said neck.'

Amend the bill by inserting after section 2 the following:

'Sec. 3. Regulation of shellfish harvesting areas in the intertidal zone. Notwithstanding the boundary established in section 1, the regulation and enforcement of the shellfish harvesting areas under the Maine Revised Statutes, Title 12, chapter 623 in the intertidal zone that were regulated and enforced by the Town of Brunswick prior to the effective date of this Act remain under the control of the Town of Brunswick for purposes of regulation and enforcement.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment is the minority report of the committee. It changes the boundary between the Town of Harpswell and the Town of Brunswick in the bill to exclude

COMMITTEE AMENDMENT

A. & S.

- 1
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property that was inadvertently included and is currently within the boundaries of the Town of West Bath. The amendment also preserves the Town of Brunswick's authority to regulate and enforce shellfish harvesting in the intertidal zone despite a change in the boundary.

FISCAL NOTE REQUIRED

(See attached)



125th MAINE LEGISLATURE

LD 69

LR 659(02)

An Act To Restore the Historical Town Boundary between Harpswell and Brunswick

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

Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

State mandate - Unfunded

State Mandates

Required Activity

Requiring a change to the boundary line between Harpswell and Brunswick will necessitate revision of town assessing activities. The costs are not expected to be significant.

Unit Affected
Municipality

Local Cost
Insignificant
limited scope

The required local activities in this bill may represent a State mandate pursuant to the Constitution of Maine. Unless General Fund appropriations are provided to fund at least 90% of the additional costs or a Mandate Preamble is amended to the bill and two-thirds of the members of each House vote to exempt this mandate from the funding requirement, municipalities may not be required to implement these changes.