

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

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

SUMMARY

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

FISCAL NOTE REQUIRED
(See attached)