

| 1 | L.D. 1022 |
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| 3 | (Filing No. H-291) |
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| 7 | STATE OF MAINE HOUSE OF REPRESENTATIVES |
| 9 | 114TH LEGISLATURE FIRST REGULAR SESSION |
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| 13 | HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 739, L.D. 1022, Bill, "An Act to Clarify Provisions of the Natural |
| 15 | Resources Protection Act as They Relate to Aquaculture" |
| 17 | Amend the amendment by striking out everything after the title and before the statement of fact and inserting in its place |
| 19 | the following: |
| 21 | 'Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in |
| 23 | its place the following: |
| 25 | 'Sec. 1. 38 MRSA §480-Q, sub-§8, as amended by PL 1989, c. 890, §1, is further amended to read: |
| 27 | 8. Hydropower projects. Hydropower projects are exempt |
| 29 | from the provisions of this article to the extent provided in section 634. Alteration of a freshwater wetland associated with |
| 31 | the operation of a hydropower project, as defined in section 632, is exempt from the provisions of this article, but is subject to |
| 33 | chapter 5, subchapter I, article 1, subarticle 1-B, where applicable; and |
| 35 | Sec. 2. 38 MRSA §480-Q, sub-§9, as enacted by PL 1989, c. 890, |
| 37 | §2, is amended to read: |
| 39 | 9. Public works. A permit is not required for emergency repair or normal maintenance and repair of existing public works |
| 41 | which affect any protected natural resource. An activity which is exempt under this subsection shall employ erosion control |
| 43 | measures to prevent sedimentation of any surface water, shall not block fish passage in any water course and shall not result in |
| 45 | any additional intrusion of the public works into the protected natural resource. This exemption does not apply to any activity |
| 47 | on an outstanding river segment as listed in section $480-P_{\star}$; and |

"A" to COMMITTEE AMENDMENT "A" to H.P. 739, L.D. HOUSE AMENDMENT 1022

Sec. 3. 38 MRSA §480-Q, sub-§10 is enacted to read: 1 3 10. Aquaculture. Aquaculture activities regulated by the Department of Marine Resources under Title 12, section 6072. Ancillary activities, including, but not limited to, building or 5 altering docks or filling of wetlands, are not exempt from the 7 provisions of this article. **FISCAL NOTE** 9 11 Enactment of this bill would result in a loss of revenue to the Department of Environmental Protection in the amount of 13 \$2,000 annually. However, the department has indicated that this 15 amount would be insignificant and would be absorbed within its dedicated budget.'' 17 STATEMENT OF FACT 19 21 This amendment is being presented on behalf of the Committee on Bills in Second Reading to incorporate changes made in Public 23 Law 1989, chapter 890. 25 Filed by Rep. Tammaro of Baileyville Reproduced and distributed under the direction of the Clerk of the 5/25/89

House

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