

# MAINE STATE LEGISLATURE

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**NATURAL RESOURCES**

Reported by:

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**STATE OF MAINE  
SENATE  
119TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT " A " to S.P. 204, L.D. 593, Bill, "An Act to Promote the Recycling of Fish Scales as Agricultural Fertilizer"

Amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

**'Emergency preamble. Whereas,** Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the use of fish scales as a crop nutrient supplement is vital to many farms in this State; and

**Whereas,** this legislation simplifies the process for the use of fish scales as a crop nutrient supplement, while maintaining standards to ensure protection of the State's ground and surface water; and

**Whereas,** it is critical to enact the new standards with regard to the use of fish scales to ensure the safe and efficient use of fish scales for this growing season; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**COMMITTEE AMENDMENT**

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 38 MRSA §1304, sub-§13-D** is enacted to read:

6 13-D. Use of fish scales as crop nutrient supplements. A  
7 person may use fish scales as a crop nutrient supplement without  
8 a license issued pursuant to this chapter as long as:

10 A. The department has reviewed the process by which the  
11 waste fish scales are generated and has approved the use of  
12 the scales as a soil amendment on crop farms;

14 B. The farm using fish scales as a supplement has developed  
15 and implemented a nutrient management plan in accordance  
16 with the provisions of Title 7, chapter 747 and in  
17 accordance with the Department of Agriculture, Food and  
18 Rural Resources' rules concerning nutrient management  
19 planning; and

20 C. The person supplying the fish scales provides the  
21 following information to the department within 7 days of  
22 shipping the fish scales with respect to each person  
23 receiving the scales:

24 (1) The name of the person receiving the fish scales;

25 (2) The location or locations where the fish scales  
26 will be used; and

27 (3) The quantity of fish scales shipped.

28 **Emergency clause.** In view of the emergency cited in the  
29 preamble, this Act takes effect when approved.'

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

32 **FISCAL NOTE**

33 Exempting fish scales used for certain agricultural purposes  
34 from Maine's solid waste laws may result in insignificant  
35 reductions of dedicated revenue to the Maine Environmental  
36 Protection Fund within the Department of Environmental Protection  
37 from certain waste related fees.

38 The Department of Environmental Protection will incur some  
39 minor additional costs to review any proposed use of waste fish  
40 scales as a crop nutrient supplement. These costs can be  
41 absorbed within the department's existing budgeted resources.'

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**SUMMARY**

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6 This amendment replaces the bill, adds an emergency preamble  
and emergency clause and allows a person to use fish scales as a  
8 crop nutrient supplement without a license as long as the type of  
scales and the process for extracting, handling and spreading the  
10 scales have received initial review and approval by the  
Department of Environmental Protection, that the farm using fish  
12 scales has developed and implemented a nutrient management plan  
and that the person supplying the fish scales provides the name  
14 of the person receiving the scales, the location where the scales  
will be used and the quantity of the fish scales shipped within 7  
16 days of shipping the scales.