

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 704

H.P. 549

House of Representatives, February 13, 2001

An Act to Establish the Rivers and Streams Restoration Fund.

Reference to the Committee on Natural Resources suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative BULL of Freeport.
Cosponsored by Senator TREAT of Kennebec and
Representatives: DUPLESSIE of Westbrook, JONES of Greenville, LORING of the
Penobscot Nation, PATRICK of Rumford, SOCTOMAH of the Passamaquoddy Tribe.

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

Sec. 1. 38 MRSA c. 2, sub-c. V is enacted to read:

SUBCHAPTER V

RIVERS AND STREAMS RESTORATION FUND

§359. Rivers and Streams Restoration Fund

1. Fund established. The Rivers and Streams Restoration Fund, referred to in this subchapter as the "fund," is established as a nonlapsing fund administered by the commissioner for the purpose of abating pollution in and restoring the State's rivers and streams. The money deposited with the Treasurer of State to the credit of the fund may be invested as provided by law. Interest on these investments is credited to the fund.

2. Fund sources. All fines assessed for violations of this Title that involve the discharge of a pollutant into a river or stream of this State must be deposited with the Treasurer of State to the credit of the fund, except that any portion of the fines that pursuant to other provisions of law is directed to be deposited in a fund other than the General Fund must be deposited according to that law.

3. Purposes. Upon legislative allocation, money in the fund may be used by the commissioner to fund project proposals for innovative pollution prevention, pollution reduction and river and stream restoration. The department shall establish rules governing the application and disbursement of the fund. Proposals must be directed to projects within the watershed where the violation occurred. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

SUMMARY

This bill requires that all fines assessed for violations of the Maine Revised Statutes, Title 38 that involve the discharge of any pollutant into a river or stream of this State must be deposited in a new fund to be called the Rivers and Streams Restoration Fund. Money in the fund may be used by the Commissioner of Environmental Protection to fund project proposals for innovative pollution prevention, pollution reduction and river and stream restoration.