

MAINE STATE LEGISLATURE

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NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1108, L.D. 1477, Bill, "An Act to Amend Certain Laws Regarding Land and Water Quality Protection"

Amend the bill by inserting after the enacting clause and before section 1 the following:

Sec. 1. 22 MRSA §2660-C, sub-§1, ¶A, as amended by PL 1995, c. 581, §1, is repealed.

Sec. 2. 22 MRSA §2660-C, sub-§1, ¶¶A-1 and A-2 are enacted to read:

A-1. Three of the members must represent the water purveying community and must be associated with public water systems. One of the 3 must be associated with a public water system serving a population of not more than 1,000 people, one must be associated with a public water system serving a population of at least 1,001 but not more than 10,000 people and one must be associated with a public water system serving a population greater than 10,000.

A-2. Two members must be users of noncommunity water systems. One of the 2 must be a user of a transient noncommunity water system and one must be a user of a nontransient, noncommunity water system.

Sec. 3. 22 MRSA §2660-C, sub-§1, ¶B, as enacted by PL 1993, c. 410, Pt. DD, §4, is amended to read:

B. Four Three of the members must represent the drinking water public. At least one of the 4 must be a user of a transient, noncommunity water system and at least one must be a user of a nontransient, noncommunity water system.

2 Further amend the bill by striking out all of section 4.

4 Further amend the bill by inserting after section 7 the
following:

6
8 'Sec. 8. 38 MRSA §411-A, sub-§2, as amended by PL 1999, c.
243, §4, is further amended to read:

10 2. **Cost-share.** The commissioner shall determine the
12 portion of project expenses eligible for grants under this
section as follows.

14 A. The commissioner shall pay 90% of the costs of a project
16 that results in the removal of a year-round residential
overboard discharge.

18 B. The commissioner shall pay 50% of the costs of a project
20 that results in the removal of a commercial overboard
discharge.

22 C. The commissioner shall pay 25% of the costs of a project
24 that results in the removal of a seasonal residential
overboard discharge, except that the commissioner shall pay
26 50% of the costs of that project if the Commissioner of
Marine Resources certifies that the project is likely to
28 result in the opening of a shellfish harvesting area that is
closed under Title 12, section 6172.

30 For the purposes of this section ~~and section 414-A~~, "year-round
32 residential overboard discharge" means an overboard discharge
from a human habitation occupied for more than 6 months in any
34 calendar year and is the legal residence of the owner for federal
and state income tax purposes.'

36 Further amend the bill in section 12 in that part designated
38 "~~§480-E-1.~~" in the 2nd paragraph in the 2nd line (page 4, line 45
in L.D.) by striking out the following: "periodically" and
inserting in its place the following: 'annually'

40
42 Further amend the bill by striking out all of section 18 and
inserting in its place the following:

44 'Sec. 18. **Current membership of Maine Public Drinking Water**
46 **Commission not affected.** Notwithstanding the Maine Revised
Statutes, Title 22, section 2660-C, members of the Maine Public
48 Drinking Water Commission on the effective date of this Act
continue to serve the remainder of their appointed terms except
as provided in this section.

50

1. The person who on the effective date of this Act is representing public water systems serving at least 500 but not more than 3,300 people is appointed for the remainder of that person's term as a public member of the commission and is entitled to continue as chair of the commission.

2. The person who on the effective date of this Act is representing public water systems serving at least 3,301 but not more than 10,000 people is appointed for the remainder of that person's term as the member representing public water systems serving from 1,001 to 10,000 people.'

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

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

FISCAL NOTE

The Department of Environmental Protection will incur some minor additional costs to submit a required report to the Legislature. These costs can be absorbed within the department's existing budgeted resources.'

SUMMARY

This amendment reduces from 4 to 3 the number of members of the Maine Public Drinking Water Commission who represent public water systems and increases the number of public members from 2 to 3. The size of this commission remains at 8 members. An unallocated section reassigns 2 current members as necessary to accommodate the new categories.

This amendment makes a technical correction, removes a section pertaining to dams that was addressed in a separate bill and changes a requirement for the review of certain land use standards from "periodically" to "annually." It also adds a fiscal note to the bill.