

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 443

S.P. 162

In Senate, February 4, 2003

An Act To List Agriculture as a Designated Use in Water Quality Standards

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator KNEELAND of Aroostook.
Cosponsored by Representative WOTTON of Littleton and
Senators: BRYANT of Oxford, WESTON of Waldo, Representatives: CHURCHILL of
Washburn, FISCHER of Presque Isle, JACKSON of Fort Kent, LUNDEEN of Mars Hill,
SHERMAN of Hodgdon.

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

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Sec. 1. 38 MRSA §465, sub-§1, ¶A, as enacted by PL 1985, c. 698, §15, is amended to read:

A. Class AA waters shall must be of such quality that they are suitable for the designated uses of drinking water after disinfection, fishing, agriculture, recreation in and on the water and navigation and as habitat for fish and other aquatic life. The habitat shall must be characterized as ~~free-flowing~~ free-flowing and natural.

Sec. 2. 38 MRSA §465, sub-§2, ¶A, as enacted by PL 1985, c. 698, §15, is amended to read:

A. Class A waters shall must be of such quality that they are suitable for the designated uses of drinking water after disinfection; fishing; agriculture; recreation in and on the water; industrial process and cooling water supply; hydroelectric power generation, except as prohibited under Title 12, section 403; and navigation; and as habitat for fish and other aquatic life. The habitat shall must be characterized as natural.

Sec. 3. 38 MRSA §465, sub-§3, ¶A, as enacted by PL 1985, c. 698, §15, is amended to read:

A. Class B waters shall must be of such quality that they are suitable for the designated uses of drinking water supply after treatment; fishing; agriculture; recreation in and on the water; industrial process and cooling water supply; hydroelectric power generation, except as prohibited under Title 12, section 403; and navigation; and as habitat for fish and other aquatic life. The habitat shall must be characterized as unimpaired.

Sec. 4. 38 MRSA §465, sub-§4, ¶A, as enacted by PL 1985, c. 698, §15, is amended to read:

A. Class C waters shall must be of such quality that they are suitable for the designated uses of drinking water supply after treatment; fishing; agriculture; recreation in and on the water; industrial process and cooling water supply; hydroelectric power generation, except as prohibited under Title 12, section 403; and navigation; and as a habitat for fish and other aquatic life.

Sec. 5. 38 MRSA §465-A, sub-§1, ¶A, as enacted by PL 1985, c. 698, §15, is amended to read:

2 A. Class GPA waters shall must be of such quality that they
are suitable for the designated uses of drinking water after
4 disinfection, recreation in and on the water, fishing,
agriculture, industrial process and cooling water supply,
6 hydroelectric power generation and navigation and as
habitat for fish and other aquatic life. The habitat shall
must be characterized as natural.

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10 **Sec. 6. 38 MRSA §465-B, sub-§1, ¶A**, as enacted by PL 1985, c.
698, §15, is amended to read:

12 A. Class SA waters shall must be of such quality that they
are suitable for the designated uses of recreation in and on
14 the water, fishing, aquaculture, propagation and harvesting
of shellfish and navigation and as habitat for fish and
16 other estuarine and marine life. The habitat shall must be
characterized as free-flowing and natural.

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20 **Sec. 7. 38 MRSA §465-B, sub-§2, ¶A**, as enacted by PL 1985, c.
698, §15, is amended to read:

22 A. Class SB waters shall must be of such quality that they
are suitable for the designated uses of recreation in and on
24 the water, fishing, aquaculture, propagation and harvesting
of shellfish, industrial process and cooling water supply,
26 ~~hydroelectric~~ hydroelectric power generation and navigation
and as habitat for fish and other estuarine and marine
28 life. The habitat shall must be characterized as unimpaired.

30 **Sec. 8. 38 MRSA §465-B, sub-§3, ¶A**, as enacted by PL 1985, c.
698, §15, is amended to read:

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34 A. Class SC waters shall must be of such quality that they
are suitable for recreation in and on the water, fishing,
aquaculture, propagation and restricted harvesting of
36 shellfish, industrial process and cooling water supply,
hydroelectric power generation and navigation and as a
38 habitat for fish and other estuarine and marine life.

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42 **SUMMARY**

44 This bill adds agriculture as a designated use in Maine's
water quality standards. It also makes technical changes.