

MAINE STATE LEGISLATURE

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DATE: 4-28-03

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NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 943, L.D. 1271, "Resolve, To Prohibit the Discharge of Certain Wastewater into Casco Bay"

Amend the resolve by striking out the title and substituting the following:

'Resolve, To Study the Implementation of a Plan To Prohibit the Discharge of Certain Wastewater into Coastal Waters'

Further amend the resolve by striking out everything after the title and before the summary and inserting in its place the following:

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

Whereas, this resolve directs the Department of Environmental Protection to develop a plan for prohibiting or regulating the discharge of sewage and gray water from vessels into the coastal waters of the State; and

Whereas, this resolve is necessary as an emergency measure to afford adequate time for the issues to be appropriately addressed by the department; and

COMMITTEE AMENDMENT

RMS

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

7 **Sec. 1. Stakeholder group established. Resolved:** That the
8 Department of Environmental Protection shall convene a
9 stakeholder group to assist the department in developing a
10 recommended plan for prohibiting or regulating the discharge of
11 sewage and gray water from vessels into the coastal waters of the
12 State. The stakeholder group must be convened no later than 30
13 days after the effective date of this resolve; and be it further

14 **Sec. 2. Membership. Resolved:** That the department shall
15 invite a marine biologist, an oceanographer and a harbor master
16 and a representative of each of the following interested parties
17 to participate in the stakeholder group: the Joint Standing
18 Committee on Natural Resources, an environmental advocacy
19 organization, a marine trade association, the marina industry,
20 the United States Coast Guard, a group representing the interests
21 of saltwater recreational boaters, the boatbuilding industry, the
22 commercial fishing industry including lobstermen and shellfish
23 harvesters, the aquaculture industry, the tourism industry, the
24 hotel industry, an organization whose mission is to protect Casco
25 Bay, a group representing the Maine petroleum industry, the
26 marine terminal industry and other interested parties as
27 determined by the department; and be it further

28 **Sec. 3. Duties. Resolved:** That the Department of Environmental
29 Protection, with the assistance of the stakeholder group
30 established pursuant to section 2, shall develop a recommended
31 plan for prohibiting or regulating the discharge of sewage and
32 gray water from vessels into the coastal waters of the State.
33 The department shall, at a minimum, hold one meeting in Portland
34 with the stakeholder group and one meeting in Bar Harbor with the
35 stakeholder group. The department shall include in its review
36 the following:

37 1. The issues identified in Legislative Document 1158, "An
38 Act to Protect Maine's Coastal Water" of the 121st Legislature;

39 2. The benefits and detriments to identifying certain
40 waters in Casco Bay as no-discharge zones prior to applying to
41 the United States Environmental Protection Agency for designation
42 of up to 50 significant harbors or bays in the territorial waters
43 of the State as no-discharge zones pursuant to Public Law 1999,
44 chapter 655;

45 3. A process for determining the boundaries of those waters
46 that should be designated as no-discharge zones; and

2 4. The parameters for the regulation of gray water,
including vessel weight and vessel passenger capacity; and be it
4 further

6 **Sec. 4. Report. Resolved:** That the Department of
Environmental Protection shall submit to the Joint Standing
8 Committee on Natural Resources no later than November 1, 2003 a
recommended plan, including any legislation necessary to
10 implement the plan, for prohibiting or regulating the discharge
of sewage and gray water from vessels into the coastal waters of
12 the State; and be it further

14 **Sec. 5. Funding. Resolved:** That, pursuant to the Maine
Revised Statutes, Title 38, section 351, the Commissioner of
16 Environmental Protection may seek and accept outside funds to
advance the work in developing a recommended plan pursuant to
18 this resolve.

20 **Emergency clause.** In view of the emergency cited in the
preamble, this resolve takes effect when approved.'

22

24

SUMMARY

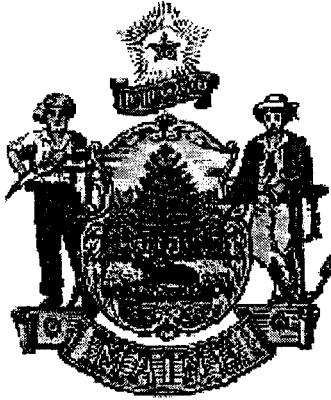
26 This amendment replaces the resolve. The amendment requires
the Department of Environmental Protection to convene a
28 stakeholder group and to develop a recommended plan for
prohibiting or regulating the discharge of sewage and gray water
30 from vessels into the coastal waters of the State. Under the
amendment, the department must submit the recommended plan to the
32 Joint Standing Committee on Natural Resources by November 1,
2003. The amendment also adds an emergency preamble and an
34 emergency clause.

36

FISCAL NOTE REQUIRED
(See attached)

38

**121st Maine Legislature
Office of Fiscal and Program Review**



LD 1271

**Resolve, To Study the Implementation of a Plan to Prohibit the
Discharge of Certain Wastewater into Coastal Waters**

LR 1062(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Natural Resources

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund