

MAINE STATE LEGISLATURE

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RRS

L.D. 1866

DATE: 3.22.04

(Filing No. S-441)

NATURAL RESOURCES

Reported by:

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STATE OF MAINE
SENATE
121ST LEGISLATURE
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 712, L.D. 1866, Bill, "An Act Relating to Storm Water Management"

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

Sec. 1. 38 MRSA §420-D, sub-§7, ¶B, as enacted by PL 1995, c. 704, Pt. B, §2 and affected by Pt. C, §2 and PL 1997, c. 603, §8, is amended to read:

B. Disturbing areas for the purpose of normal farming activities, such as clearing of vegetation, plowing, seeding, cultivating, minor drainage and harvesting, does not require review pursuant to this section. A manure storage facility that is designed, constructed, managed and maintained in accordance with the United States Department of Agriculture, Natural Resources Conservation Service guidelines does not require review pursuant to this section. For purposes of this paragraph, "manure storage facility" means a facility used primarily for containing manure.

Sec. 2. Storm water management rules. Notwithstanding the Maine Revised Statutes, Title 38, section 420-D, the Board of Environmental Protection shall provisionally adopt rules in accordance with Title 5, chapter 375 to regulate storm water management. Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A and must be provisionally adopted and submitted to the Legislature no later than January 2, 2005.

COMMITTEE AMENDMENT

10/13

COMMITTEE AMENDMENT "A" to S.P. 712, L.D. 1866

2 **Sec. 3. Legislation.** The Department of Environmental
Protection shall submit a bill to the First Regular Session of
4 the 122nd Legislature no later than January 2, 2005 to amend
provisions in the Maine Revised Statutes, Title 38, section 420-D
6 to resolve inconsistencies between the rules adopted pursuant to
section 2 of this bill and that section.'

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SUMMARY

12 This amendment replaces the bill. It exempts certain manure
storage facilities from storm water management review. It also
14 directs the Board of Environmental Protection to provisionally
adopt rules to regulate storm water management by January 2, 2005
16 and directs the Department of Environmental Protection to submit
a bill to the First Regular Session of the 122nd Legislature to
18 resolve inconsistencies between those rules and the Maine Revised
Statutes, Title 38, section 420-D.

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FISCAL NOTE REQUIRED
(See attached)

Approved: 03/17/04 *MAC*

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

LD 1866

An Act Relating to Storm Water Management



LR 2753(02)

Fiscal Note for Bill as Amended by Committee Amendment 'A'

Committee: Natural Resources

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

The additional costs associated with implementing this legislation can be absorbed by the Department of Environmental Protection utilizing existing budgeted resources.