

# MAINE STATE LEGISLATURE

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**NOTS.**

L.D. 574

DATE: **4.26.05**

(Filing No. S-**96**)

**AGRICULTURE, CONSERVATION AND FORESTRY**

Reported by:

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**STATE OF MAINE  
SENATE  
122ND LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "**A**" to S.P. 183, L.D. 574, Bill, "An Act To Amend Provisions of the Submerged Lands Laws"

Amend the bill in section 2 in paragraph D-1 in the 7th line (page 1, line 20 in L.D.) by striking out the following: "and" and inserting in its place the following: ', an offshore tanker port,'

Further amend the bill in section 2 in paragraph D-1 in the 8th to 11th lines (page 1, lines 21 to 24 in L.D.) by striking out the following: "not directly associated with an upland property or neighboring community. The bureau shall determine what projects qualify as large-scale projects"

Further amend the bill in section 3 in paragraph E by striking out all of the last underlined sentence and inserting in its place the following: 'The \$1,200 limit does not apply to a large-scale project. The director shall establish through rulemaking criteria for determining a project's designation as a large-scale project and criteria for establishing rents for large-scale projects. Rules adopted pursuant to this paragraph are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.'

Further amend the bill by inserting after section 3 the following:

**COMMITTEE AMENDMENT**

R. 078

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'Sec. 4. Transition. Until major substantive rules authorized under the Maine Revised Statutes, Title 12, section 1862, subsection 2, paragraph E are finally adopted and in effect, the Director of the Bureau of Parks and Lands within the Department of Conservation shall determine if a project qualifies as a large-scale project as defined in Title 12, section 1862, subsection 1, paragraph D-1 and determine the rents for large-scale projects.'

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**SUMMARY**

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This amendment amends the definition of "large-scale project" and requires the Director of the Bureau of Parks and Lands within the Department of Conservation to adopt rules establishing criteria for determining when a project is a "large-scale project" and criteria for establishing rent for those projects. It allows the director to make determinations until the rules are adopted and in effect.

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**FISCAL NOTE REQUIRED**  
(See attached)



Approved: 04/13/05 *MAC*

# 122nd MAINE LEGISLATURE

LD 574

LR 0646(02)

**An Act To Amend Provisions of the Submerged Lands Laws**

**Fiscal Note for Bill as Amended by Committee Amendment <sup>A</sup>**  
**Committee: Agriculture, Conservation and Forestry**

**Fiscal Note Required: Yes**

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## Fiscal Note

Current biennium revenue increase - Other Special Revenue Funds

### Fiscal Detail and Notes

The removal of the cap on allowable amounts of rent that can be collected by the Department of Conservation for the lease of certain submerged properties is likely to increase the amounts of Other Special Revenue Funds revenue collected by the department; the amounts will depend on the department's determination of which leased properties are affected by the removal of the cap and can not be determined at this time.