

MAINE STATE LEGISLATURE

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MS

L.D. 1643

DATE: 5/26/05

(Filing No. H-547)

NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1158, L.D. 1643, Bill, "An Act To Clarify and Harmonize State Policy on Groundwater Management"

Amend the bill in Part A by striking out all of section 2 (page 1, lines 25 to 37 in L.D.)

Further amend the bill in Part B in section 3 in the 4th line (page 3, line 20 in L.D.) by striking out the following: "routine technical" and inserting in its place the following: 'major substantive'

Further amend the bill in Part C by striking out all of section 2 and inserting in its place the following:

'Sec. C-2. Oversight. The council shall begin the study under section 1 no later than October 1, 2005. The study must be carried out under the direction of the council with work performed by a work group composed of appropriate personnel from the Department of Environmental Protection, the Department of Agriculture, Food and Rural Resources, the Maine Land Use Regulation Commission, the Department of Health and Human Services' drinking water program, the Maine Geological Survey, the Department of Economic and Community Development, the Executive Department, State Planning Office and members of the public with expertise in relevant fields of interest, including, but not limited to, agriculture, public water utilities, groundwater law and water bottling and sale. In addition, the work group must include a private domestic well owner and legislative members from the Joint Standing Committee on Natural Resources, the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Business, Research and Economic Development.'

COMMITTEE AMENDMENT

R.OTS

COMMITTEE AMENDMENT "A" to H.P. 1158, L.D. 1643

2 Further amend the bill in Part C in section 4 in subsection
3 in the 3rd line (page 4, line 38 in L.D.) by inserting after
the following: "groundwater," the following: 'giving
4 consideration to sizes and uses of withdrawal,'

6 Further amend the bill in Part C in section 4 in subsection
4 in the 2nd and 3rd lines (page 5, lines 10 and 11 in L.D.) by
8 striking out the following: "uniform regulatory threshold for the
volume of the proposed groundwater withdrawal" and inserting in
10 its place the following: 'series of regulatory thresholds with
appropriate levels of review for each, such as permit-by-rule,'

12 Further amend the bill in Part C in section 5 in the first
14 line (page 5, line 33 in L.D.) by inserting after the following:
"work group" the following: 'established under section 2 of this
16 Part'

18 Further amend the bill in Part C in section 6 in the 5th
line (page 5, line 43 in L.D.) by striking out the following:
20 "section" and inserting in its place the following: 'chapter'

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

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SUMMARY

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This amendment strikes from the bill certain determinations
30 that the Department of Health and Human Services would need to
make in order for a new source of water supply to be approved.
32 The amendment also designates rules to establish a consistent
approach to the review of hydrogeological issues and to adjust
34 permit fees as major substantive rules. It also changes the
structure of the work group that is formed to study state
36 regulation of groundwater withdrawal and modifies the issues that
the work group is directed to consider.

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FISCAL NOTE REQUIRED
(See attached)

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122nd MAINE LEGISLATURE

LD 1643

LR 2288(02)

An Act To Clarify and Harmonize State Policy on Groundwater Management

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

Committee: Natural Resources

Fiscal Note Required: Yes

Fiscal Note

Current Costs - Legislative Study

Legislative Study

The projected cost for one Legislator from each of the joint standing committees identified in section C-2 to participate in four meetings of the work group is \$1,260. If more than 3 legislators are appointed to serve on the work group, the additional cost for each additional Legislator for 4 meetings would be \$420.

Fiscal Detail and Notes

Any additional costs associated with this legislation can be absorbed by the Department of Environmental Protection, the Department of Conservation, the Department of Health and Human Services, the Department of Economic and Community Development and the Land and Water Resources Council utilizing existing budgeted resources.