

MAINE STATE LEGISLATURE

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NATURAL RESOURCES

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STATE OF MAINE

HOUSE OF REPRESENTATIVES

123RD LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 902, L.D. 1274, Bill, "An Act To Allow the Discharge of Aquatic Pesticides Approved by the Department of Environmental Protection for the Control of Mosquito-borne Diseases in the Interest of Public Health and Safety"

Amend the bill in section 1 in paragraph A in subparagraph (1) in division (e) in the last line (page 1, line 22 in L.D.) by inserting after the following: "subparagraph." the following: 'When the department issues a license for the discharge of aquatic pesticides authorized under this division, the department shall notify the municipality in which the application is licensed to occur and post the notice on the department's publicly accessible website.'

Amend the bill in section 2 in paragraph C in subparagraph (4) in the last line (page 3, line 31 in L.D.) by inserting after the following: "allowed." the following: 'When the department issues a license for the discharge of aquatic pesticides authorized under this subparagraph, the department shall notify the municipality in which the application is licensed to occur and post the notice on the department's publicly accessible website.'

Amend the bill in section 3 in paragraph C by striking out all of subparagraph (4) (page 4, lines 22 to 27 in L.D.) and inserting following:

'(4) For the purpose of allowing the discharge of aquatic pesticides approved by the department for the control of mosquito-borne diseases in the interest of public health and safety, the department may find that the discharged effluent will be equal to or better than the existing water quality of the receiving waters as long as the materials and methods used provide protection for nontarget species. When the department issues a license for the discharge of aquatic pesticides authorized under this subparagraph, the department shall notify the municipality in which the application is licensed to occur and post the notice on the department's publicly accessible website.'

Amend the bill in section 4 in paragraph C by striking out all of subparagraph (2) (page 4, lines 41 to 43 and page 5, lines 1 and 2 in L.D.) and inserting the following:

12-23-23

1 '(2) For the purpose of allowing the discharge of aquatic pesticides approved by
2 the department for the control of mosquito-borne diseases in the interest of public
3 health and safety, the department may find that the discharged effluent will not
4 cause adverse impact to aquatic life as long as the materials and methods used
5 provide protection for nontarget species. When the department issues a license
6 for the discharge of aquatic pesticides authorized under this subparagraph, the
7 department shall notify the municipality in which the application is licensed to
8 occur and post the notice on the department's publicly accessible website.'

9 Amend the bill in section 5 in paragraph C in subparagraph (4) in the last line (page
10 5, line 17 in L.D.) by inserting after the following: "species." the following: "When the
11 department issues a license for the discharge of aquatic pesticides authorized under this
12 subparagraph, the department shall notify the municipality in which the application is
13 licensed to occur and post the notice on the department's publicly accessible website.'

14 Amend the bill in section 6 in paragraph C in subparagraph (2) in the last line (page
15 5, line 36 in L.D.) by inserting after the following: "species." the following: "When the
16 department issues a license for the discharge of aquatic pesticides authorized under this
17 subparagraph, the department shall notify the municipality in which the application is
18 licensed to occur and post the notice on the department's publicly accessible website.'

19 Amend the bill in section 7 in paragraph C by striking out all of the last underlined
20 sentence (page 6, lines 4 to 9 in L.D.) by inserting the following: 'For the purpose of
21 allowing the discharge of aquatic pesticides approved by the department for the control of
22 mosquito-borne diseases in the interest of public health and safety, the department may
23 find that the discharged effluent will not cause adverse impact to estuarine and marine life
24 as long as the materials and methods used provide protection for nontarget species.
25 When the department issues a license for the discharge of aquatic pesticides authorized
26 under this paragraph, the department shall notify the municipality in which the
27 application is licensed to occur and post the notice on the department's publicly accessible
28 website.'

29

SUMMARY

30 This amendment requires the Department of Environmental Protection to notify a
31 municipality in which the application of aquatic pesticides is licensed to occur and to post
32 the notice on the department's website when the department issues a license for an
33 authorized application for the control of mosquito-borne diseases.

FISCAL NOTE REQUIRED
(See attached)



123rd MAINE LEGISLATURE

LD 1274

LR 644(02)

An Act To Allow the Discharge of Aquatic Pesticides Approved by the Department of Environmental Protection for the Control of Mosquito-borne Diseases in the Interest of Public Health and Safety

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

Committee: Natural Resources

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium revenue increase - Other Special Revenue Funds

Fiscal Detail and Notes

This legislation would allow the Department of Environmental Protection to approve additional discharges which are not allowed under current law, increasing permit fees. Since these aquatic pesticide discharges would only be proposed when needed to address public health concerns and would likely be covered under future general permits, the amount of any potential increase in Other Special Revenue Funds cannot be determined at this time.