

MAINE STATE LEGISLATURE

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L.D. 1744

Date: 4-3-14

(Filing No. H-797)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1250,
L.D. 1744, Bill, "An Act To Protect Maine Lakes"

Amend the amendment in section 2 in §410-M by striking out all of subsection 1
(page 2, lines 25 to 35 in amendment) and inserting the following:

'1. Education and technical assistance. Provides education and technical assistance
relating to lake functions and values, watershed planning and management,
implementation of best management practices, effects of cumulative impacts and
applicable laws and rules;'

Amend the amendment by striking out all of section 3 and inserting the following:

'Sec. 3. 38 MRSA §418-B is enacted to read:

§418-B. Prohibition on application of fertilizers near great ponds

1. Prohibition. Notwithstanding any other provision of law, a person may not apply
a fertilizer within 25 feet of the normal high-water line of a great pond. As used in this
section, "fertilizer" has the same meaning as in section 419, subsection 1, paragraph A-3.

2. Exception. Subsection 1 does not apply to a fertilizer application for the purpose
of agriculture. Nothing in this subsection relieves a person applying a fertilizer for the
purpose of agriculture from the obligation to comply with all applicable requirements for
a nutrient management plan in accordance with Title 7, chapter 747. As used in this
section, "agriculture" has the same meaning as in section 436-A, subsection 1-B.'

Amend the amendment by striking out all of section 5 and inserting the following:

'Sec. 5. Appropriations and allocations. The following appropriations and
allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Land and Water Quality 0248

Initiative: Provides a one-time appropriation in fiscal year 2013-14 of \$40,000 for the
purpose of supporting the Maine Lakes Society in its implementation of the LakeSmart
program, \$20,000 for the purpose of managing and analyzing the data gathered by the
Maine Volunteer Lake Monitoring Program and \$10,000 for the purpose of supporting

HOUSE AMENDMENT

R.O.F.S

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1250, L.D. 1744

1 the Maine Joint Environmental Training Coordinating Committee in its development and
2 implementation of water pollution control, water quality protection and other
3 environmental training programs.

| | | | |
|---|---------------------------|-----------------|----------------|
| 4 | GENERAL FUND | 2013-14 | 2014-15 |
| 5 | All Other | \$70,000 | \$0 |
| 6 | | | |
| 7 | GENERAL FUND TOTAL | <u>\$70,000</u> | <u>\$0</u> |
| 8 | | | |

SUMMARY

This amendment amends Committee Amendment "A" in the following manner:

- 11 1. It amends the provision regarding the education and technical assistance that must
12 be provided by the Department of Environmental Protection in implementing the Lakes
13 Assessment and Protection Program;
- 14 2. It amends the prohibition on application of a fertilizer near great ponds by
15 changing the distance from the high-water line within which the prohibition applies and
16 by removing the exception for persons applying fertilizer to stop, slow or remediate
17 shoreline erosion or damage; and
- 18 3. It replaces the appropriations and allocations section to remove appropriations and
19 allocations related to requirements that are removed in this amendment.

FISCAL NOTE REQUIRED

(See attached)

22 SPONSORED BY: 

(Representative MCCABE)

TOWN: Skowhegan

HOUSE AMENDMENT



126th MAINE LEGISLATURE

LD 1744

LR 2438(05)

An Act To Protect Maine Lakes

Fiscal Note for House Amendment "H" to Committee Amendment "A"

Sponsor: Rep. McCabe of Skowhegan

Fiscal Note Required: Yes

Fiscal Note

| | FY 2013-14 | FY 2014-15 | Projections FY 2015-16 | Projections FY 2016-17 |
|-----------------------------------|------------|------------|---------------------------|---------------------------|
| Net Cost (Savings) | | | | |
| General Fund | \$0 | (\$46,419) | (\$39,646) | (\$40,387) |
| Appropriations/Allocations | | | | |
| General Fund | \$0 | (\$46,419) | (\$39,646) | (\$40,387) |
| Other Special Revenue Funds | \$0 | (\$675) | (\$675) | (\$675) |

Fiscal Detail and Notes

The amendment removes the requirement that the Department of Environmental Protection (DEP) make educational materials on certain lake information available on their website, thereby eliminating the need for the new half-time Environmental Specialist III position. The General Fund appropriation in fiscal year 2014-15 to the DEP for this position is removed. This amendment also removes the DEP's authority to adopt rules relating to certain fertilizer bans. The General Fund appropriation in fiscal year 2014-15 to the DEP for rulemaking is removed.

Overall, as amended, these changes leave only a one-time General Fund appropriation of \$70,000 in fiscal year 2013-14 to support the Maine Lakes Society, to manage and analyze certain data and for development and implementation of water pollution control, water quality protection and other environmental training programs.