

MAINE STATE LEGISLATURE

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SMS
H. 908

2 Date: 4/16/14

(Filing No. S- 534)

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4 STATE OF MAINE
5 SENATE
6 126TH LEGISLATURE
7 SECOND REGULAR SESSION

8 SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P.
9 1250, L.D. 1744, Bill, "An Act To Protect Maine Lakes"

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

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

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

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

18 **§418-B. Prohibition on application of fertilizers near great ponds**

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

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

27 Amend the amendment by striking out all of section 5.

28 **SUMMARY**

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

30 1. It amends the provision regarding the education and technical assistance that must
31 be provided by the Department of Environmental Protection in implementing the Lakes
32 Assessment and Protection Program;

33 2. It amends the prohibition on application of a fertilizer near great ponds by
34 changing the distance from the high-water line within which the prohibition applies and

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by removing the exception for persons applying fertilizer to stop, slow or remediate shoreline erosion or damage; and

3. It removes the appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)

SPONSORED BY: 

(Senator HILL)

COUNTY: York



126th MAINE LEGISLATURE

LD 1744

LR 2438(08)

An Act To Protect Maine Lakes

Fiscal Note for Senate Amendment 'A' to Committee Amendment 'A'

Sponsor: Sen. Hill of York

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 | (\$70,000) | (\$46,419) | (\$39,646) | (\$40,387) |
| Appropriations/Allocations | | | | |
| General Fund | (\$70,000) | (\$46,419) | (\$39,646) | (\$40,387) |
| Other Special Revenue Funds | \$0 | (\$675) | (\$675) | (\$675) |

Fiscal Detail and Notes

The amendment removes the \$70,000 General Fund appropriation in fiscal year 2013-14. 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. This amendment also removes the DEP's authority to adopt rules relating to certain fertilizer bans. Overall, this amendment removes all General Fund appropriations from this bill.