

MAINE STATE LEGISLATURE

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Date: 4-18-23

(Filing No. H-41)

ENVIRONMENT AND NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 105, L.D. 164, "An Act to Fund the Lake Restoration and Protection Fund"

Amend the bill by striking out the title and substituting the following:

'An Act Regarding the Funding of Lake Water Quality Restoration and Protection Projects'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 38 MRSA §480-N, as amended by PL 1989, c. 890, Pt. A, §40 and Pt. B §§79 and 80, is further amended to read:

§480-N. Lake Water Quality Restoration and Protection Fund

1. Fund purposes and administration. There is established a nonlapsing Lake Water Quality Restoration and Protection Fund, referred to in this section as "the fund," from which the commissioner may pay up to 50% of the eligible costs incurred in a lake water quality restoration or protection project, except that eligible costs for projects addressing technical assistance, watershed surveys, watershed plan development, public education or research issues may be paid up to 100%. Eligible costs include all costs except those related to land acquisition, legal fees and debt service. All money The commissioner may use money credited to that the fund must be used by the commissioner for only for the purposes described in subsections 3, 4 and 6 and for projects to improve or maintain the quality of lake waters in the State and for no other purpose. The commissioner may authorize the State Controller to draw a warrant for such funds as may be necessary to pay the lawful expenses of the lake water quality restoration or protection project, up to the limits of the money duly authorized. Any balance remaining in the fund must continue without lapse from year to year and remain available only for the purpose purposes for which the fund is established and for no other purpose.

2. Money Prohibited expenditures. Money in the Lake Restoration and Protection Fund may not be used The commissioner may not use money in the fund to pay costs for projects in or on lakes for which public access is not provided.

COMMITTEE AMENDMENT

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~~3. Intensive staffing program~~ **Staffing support.** The commissioner shall establish an intensive staffing program to provide adequate staffing at both the state and regional levels. The commissioner shall provide technical information and guidance and the regional agencies shall assist with the adoption of revised comprehensive plans, standards and local ordinances by local governments may use money in the fund for state, regional or local staffing to support administration and implementation of activities authorized under this section.

~~4. Public education program.~~ The commissioner shall may use money in the fund to develop a coordinated public education program for school children involving extensive use of the media.

~~5. Research.~~ The commissioner shall encourage internal research focused on the following statewide topics:

- ~~A. Lake vulnerability, particularly as it relates to noncultural features of the watershed;~~
- ~~B. The effectiveness and design of the best management practices to control phosphorous pollution; and~~
- ~~C. New lake and watershed diagnostic tools.~~

6. Research. The commissioner may use money in the fund to conduct internal or external assessments and research focused on lake water quality restoration or protection.

Sec. 2. Transfers from General Fund unappropriated surplus. The State Controller shall transfer \$1,000,000 on or before June 30, 2024 and \$1,500,000 on or before June 30, 2025 from the unappropriated surplus of the General Fund to the Department of Environmental Protection, Lake Water Quality Restoration and Protection Fund, Other Special Revenue Funds account to provide payments to help fund costs related to eligible projects in the State that improve or maintain the quality of lake waters in the State and for other authorized purposes in accordance with the provisions of the Maine Revised Statutes, Title 38, section 480-N.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Lake Water Quality Restoration and Protection Fund N422**

Initiative: Provides ongoing allocations to allow for expenditures regarding projects that meet specific criteria and improve or maintain the quality of lake waters in the State.

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	\$1,000,000	\$1,500,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,000,000	\$1,500,000

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

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SUMMARY

This amendment replaces the bill and incorporates a number of changes and clarifications to the Lake Restoration and Protection Fund under the Maine Revised Statutes, Title 38, section 480-N, including changing the name of the fund to the Lake Water Quality Restoration and Protection Fund, clarifying the types of projects that are eligible for 100% payment of eligible costs under the fund and the scope of fund expenditures not related to those projects. The amendment also provides allocations of \$1,000,000 in fiscal year 2023-24 and \$1,500,000 in fiscal year 2024-25 to help pay costs related to projects that improve or maintain the quality of lake waters.

FISCAL NOTE REQUIRED

(See attached)



131st MAINE LEGISLATURE

LD 164

LR 279(02)

An Act to Fund the Lake Restoration and Protection Fund

Fiscal Note for Bill as Amended by Committee Amendment *A. (H-41)*
 Committee: Environment and Natural Resources
 Fiscal Note Required: Yes

Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Net Cost (Savings)				
General Fund	\$1,000,000	\$1,500,000	\$0	\$0
Appropriations/Allocations				
Other Special Revenue Funds	\$1,000,000	\$1,500,000	\$0	\$0
Revenue				
General Fund	(\$1,000,000)	(\$1,500,000)	\$0	\$0
Other Special Revenue Funds	\$1,000,000	\$1,500,000	\$0	\$0

Fiscal Detail and Notes

This bill includes Other Special Revenue Funds allocations of \$1,000,000 in fiscal year 2023-24 and \$1,500,000 in fiscal year 2024-25 to the Lake Water Quality Restoration and Protection Fund (LWQRPF) within the Department of Environmental Protection to allow expenditures related to projects that improve or maintain the quality of lake waters. The allocations are funded by one-time transfers of \$1,000,000 in fiscal year 2023-24 and \$1,500,000 in fiscal year 2024-25 from the unappropriated surplus of the General Fund to the LWQRPF.