

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**September 5, 1996 to September 7, 1996**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 1996 to March 27, 1997**

**FIRST SPECIAL SESSION**  
**March 27, 1997 to June 20, 1997**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 26, 1997**

**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 1997**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1997**

with expertise in asset development for low-income households.

6. Voluntary service. Members of the committee serve without compensation or reimbursement for expenses.

**Sec. 3. Appointments.** All appointments to the Advisory Committee on Family Development Accounts, established in the Maine Revised Statutes, Title 5, section 12004-I, must be made by August 1, 1997 and the first meeting of the committee convened by the Chief Executive Officer of the Finance Authority of Maine or the designee of the chief executive officer by September 15, 1997.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective June 12, 1997.

**CHAPTER 519**

**H.P. 900 - L.D. 1217**

**An Act to Protect the State's Lakes, Rivers and Coastal Wetlands through a Comprehensive Watershed Protection Program**

**Be it enacted by the People of the State of Maine as follows:**

**PART A**

**Sec. A-1. 5 MRSA §3331, sub-§2, ¶¶E and F,** as enacted by PL 1993, c. 721, Pt. C, §1 and affected by Pt. H, §1, are amended to read:

E. Study specific land and water resources management issues and problems of state-level significance in order to develop sound, coordinated policies; ~~and~~

F. Seek cooperation from federal agencies with responsibilities for land and water resources management to ensure that their programs and projects serve the best interests of the State; ~~and~~

**Sec. A-2. 5 MRSA §3331, sub-§2, ¶G** is enacted to read:

G. Administer the Lakes Heritage Trust Fund established in subsection 6.

**Sec. A-3. 5 MRSA §3331, sub-§§6 and 7** are enacted to read:

**6. Lakes Heritage Trust Fund.** The Lakes Heritage Trust Fund is established in the Executive

Department for the purpose of protecting, preserving and enhancing the quality and value of the State's lakes and great ponds. By majority vote of all members, the council may accept monetary contributions to the fund from any public or private source and may spend or disburse those funds in a manner consistent with law for the purposes stated in this subsection. The council shall include an accounting of all donations to and expenditures from the Lakes Heritage Trust Fund in its annual report to the Legislature under subsection 4.

**7. Watershed protection.** The council may create, implement and administer a comprehensive watershed protection program in order to ensure the development and implementation of locally supported watershed management plans. In implementing the program, the council shall coordinate the activities of the agencies involved in watershed management to:

A. Develop and implement strategies designed to protect the State's surface waters from non-point source pollution;

B. Conduct scientific research and water quality surveys to establish baseline information about the condition of the State's surface waters and the relative risk to surface waters from nonpoint sources of pollution;

C. Implement regulatory and nonregulatory approaches to watershed protection, including public education and technical assistance;

D. Coordinate activities with local governments, other state agencies, federal agencies and other organizations that are involved in activities aimed at controlling nonpoint source pollution; and

E. Establish priorities for the purpose of directing resources to the management of water bodies based on an assessment of their value, the degree of threat or impairment to water quality and aquatic habitat due to nonpoint source pollution, the likelihood of meeting watershed management objectives and the degree of public support in the watershed for watershed management.

**Sec. A-4. Allocation.** The following funds are allocated from Other Special Revenue to carry out the purposes of this Part.

	1997-98	1998-99
<b>EXECUTIVE DEPARTMENT</b>		
State Planning Office		
All Other	\$500	\$500

Allocates funds to authorize expenditures from the Lakes Heritage Trust Fund.

## PART B

**Sec. B-1. 38 MRSA §2013** is enacted to read:

### **§2013. Priority watershed protection grants program**

A priority watershed protection grants program is established, to be administered by the department, for the purpose of providing financial assistance to entities to conduct projects that implement best management practices or other management measures in order to reduce or eliminate nonpoint source pollution in surface waters of the State. Funding may not be used to pay salaries of state agency staff.

**1. Project elements.** Each project proposal must either create a watershed management plan or implement an existing plan. A plan must include the following elements:

A. An assessment of water quality and uses of water bodies within the watershed;

B. An inventory of the types of land uses and the types and severity of nonpoint source pollution in the watershed;

C. An evaluation of the types and severity of other factors that may be affecting water quality;

D. A determination of nonpoint source pollution controls and measures necessary to improve or protect water quality;

E. An implementation strategy to address nonpoint sources of pollution in the watershed that includes costs and schedules for implementing best management practices or other management measures and agreements outlining responsibilities for meeting this strategy;

F. Actions to inform eligible landowners of the importance of utilizing best management practices on a voluntary or cost-shared basis;

G. An objective evaluation of the plan following implementation; and

H. Actions to achieve self-sustaining financial support of the plan.

**2. Project approval.** The board shall approve funding for projects based on the following preferences, considering public comments on project proposals that have been submitted to the board:

A. Projects that have been given a high-priority status by the Land and Water Resources Council, established in Title 5, section 3331, subsection 1, in accordance with the comprehensive watershed protection program under Title 5, section 3331, subsection 7;

B. Projects that demonstrate extensive local support in either funding or services;

C. Projects that seek to solve current pollution problems and plan for future protection of resources; and

D. Projects that create techniques, products or information that can be of use in more than one setting or in other projects in the State.

**Sec. B-2. Evaluation of program.** By December 31, 1999, the department shall submit to the joint standing committee of the Legislature having jurisdiction over natural resource matters an evaluation of the priority watershed protection grants program, established in the Maine Revised Statutes, Title 38, section 2013, as a means of controlling nonpoint sources of pollution and improving water quality. The report must include recommendations for improving the program, including funding options.

**Sec. B-3. Contingent upon ratification of bond issue.** This Part takes effect only if a \$13,000,000 General Fund bond issue, including \$500,000 for mitigation of storm water pollution through the establishment of a comprehensive watershed protection program, is approved by the voters of the State.

See title page for effective date, unless otherwise indicated.

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## CHAPTER 520

### S.P. 411 - L.D. 1332

#### An Act to Permit the Sale of Used License Plates

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 29-A MRSA §463, sub-§1-A** is enacted to read:

**1-A. Discontinued registration plates.** Notwithstanding subsection 1, a general issue registration plate that is of a design no longer issued by the