

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

Sec. 2. 26 MRSA §2033, sub-§5, ¶A, as enacted by PL 2007, c. 352, Pt. A, §3, is amended to read:

A. Is at least 18 years old or has graduated from high school;

Sec. 3. 26 MRSA §2033, sub-§5-A, as enacted by PL 2015, c. 257, §1, is amended to read:

5-A. Secondary student eligibility. Notwithstanding subsection 5, paragraph A, ~~before January 1, 2020~~, a full-time student at a public secondary school enrolled in a career and technical education program at a career and technical education center or a career and technical education region may be granted enrollment in the program if the student applies for enrollment and meets the requirements of subsection 5, paragraphs B, C, D and E. For the purpose of determining eligibility under subsection 5, paragraph C, "income" includes the income of the student's family as defined by department rule.

The commissioner may not expend, on an annualized basis, more than 15% of the annual revenue to the fund for tuition, other allowable costs and administration and case management for students enrolled in the program under this subsection and the costs for any of these students who continue to participate in the program after attaining 18 years of age.

~~This subsection is repealed January 1, 2020.~~

See title page for effective date.

CHAPTER 67

H.P. 162 - L.D. 199

An Act To Create the Water Resources Planning Committee

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

Sec. 1. 5 MRSA Pt. 15-C is enacted to read:

PART 15-C

WATER RESOURCES PLANNING COMMITTEE

CHAPTER 357

WATER RESOURCES PLANNING COMMITTEE

§6401. Water Resources Planning Committee

1. Water Resources Planning Committee. The Water Resources Planning Committee, as established in section 12004-I, subsection 68-C and referred to in this subsection as "the committee," is established in the Department of Agriculture, Conservation and Forestry.

A. The committee's membership must include, at a minimum:

(1) Personnel from:

(a) The Department of Agriculture, Conservation and Forestry, Bureau of Resource Information and Land Use Planning, Division of Geology, Natural Areas and Coastal Resources, Maine Geological Survey;

(b) The Department of Agriculture, Conservation and Forestry, Maine Agricultural Water Management Board;

(c) The Public Utilities Commission;

(d) The Department of Environmental Protection;

(e) The Maine Land Use Planning Commission; and

(f) The drinking water program of the Department of Health and Human Services; and

(2) Members of the public with expertise in:

(a) Agriculture;

(b) Public water utilities;

(c) Water bottling and the sale of bottled water;

(d) The use of water by private domestic well owners;

(e) The environment and conservation;

(f) The use of water by commercial entities;

(g) Water conservation education; and

(h) Stormwater management or wastewater management.

B. The committee shall meet at least quarterly and report annually to the Department of Agriculture, Conservation and Forestry, beginning in August 2020. The committee shall plan for the sustainable use of water resources. The committee shall focus on:

(1) Collecting and reviewing information regarding water withdrawal activities;

(2) Coordinating state water resources information; and

(3) Identifying watersheds at risk by refining the most recent analysis of watersheds at risk performed by the Bureau of Resource Information and Land Use Planning, Division of Geology, Natural Areas and Coastal Resources, Maine Geological Survey, including:

(a) Conducting appropriate water resources investigations in watersheds at risk;

(b) Considering projected increased water use by population, agricultural irrigation, commercial users, industrial users and other users;

(c) Considering seasonal use;

(d) Considering potential effects of climate change;

(e) Considering the effects of anticipated future water quality classification changes on the availability of water for withdrawal;

(f) In establishing priorities for further investigations, seeking input from the user community, from towns dealing with multimunicipal aquifers and from towns with significant local aquifers; and

(g) Developing guidelines for consistency in further investigations.

C. The committee shall conduct annual reviews of state policy with regard to:

- (1) Conservation of water resources;
- (2) Development of regional sources and solutions to water use issues;
- (3) Incentives for stewardship of water resources; and
- (4) Effects of surface water quality improvements on water withdrawal opportunities.

D. The committee shall provide guidance to municipalities and water districts and develop and disseminate educational materials on water resources and the regulatory regime.

Sec. 2. 5 MRSA §12004-I, sub-§68-C is enacted to read:

68-C.

<u>Natural Resources</u>	<u>Water Resources Planning Committee</u>	<u>Not Authorized</u>	<u>5 MRSA §6401</u>
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See title page for effective date.

CHAPTER 68
H.P. 266 - L.D. 340

An Act To Clarify the Temporary Medical Allowance Relating to Lobster and Crab Fishing Licenses

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

Sec. 1. 12 MRSA §6450, sub-§1, as amended by PL 2017, c. 352, §1, is further amended to read:

1. Temporary medical allowance. Notwithstanding section 6421, upon request the commissioner may issue a temporary medical allowance that permits an individual to fish under the authority of the license of a Class I, Class II or Class III lobster and crab fishing license holder ~~but not under the license holder's direct supervision~~ when that license holder is unable to fish if the following criteria are met:

A. The individual who will be fishing has successfully completed an apprentice program under section 6422;

B. The individual who will be fishing is the child ~~or~~ spouse or domestic partner of the individual who holds the Class I, Class II or Class III lobster and crab fishing license;

C. The holder of the Class I, Class II or Class III lobster and crab fishing license is unable to use that license, all or part of the time, due to a substantial illness or medical condition. The holder of the Class I, Class II or Class III lobster and crab fishing license shall provide the commissioner with documentation from a physician describing the illness or other medical condition; and

D. The holder of the Class I, Class II or Class III lobster and crab fishing license documents to the commissioner that the license holder harvested a minimum of 1,000 pounds of lobsters within one year prior to the request for the temporary medical allowance.

A request for a temporary medical allowance must be in writing and must specify the dates for which the temporary medical allowance is requested. The holder of the Class I, Class II or Class III lobster and crab fishing license on which the temporary medical allowance is based must maintain a valid license during the duration of the temporary medical allowance. The holder of the Class I, Class II or Class III lobster and crab fishing license is liable for the activities of the individual fishing under the temporary medical allowance, whether or not the license holder is present on the vessel.

See title page for effective date.
