

June 19, 2009

The session ended and the attachment contains the final bills. Those below are the ones possibly affecting MASE membership. Two were approved, one died. There is no further action until the legislature re-convenes next year, January 13, 2010.

LD 1240 - Changed to a Resolve - Resolve, To License Wetland Scientists. (Rep. Eberle, South Portland)(BRED Comm). This was changed to a resolve and became public law - Resolve Chapter 73
Directs the Dept of Professional and Financial Regulation to develop a licensing protocol for wetland scientists in collaboration with the DEP and the Maine Association of Wetland Scientists and to report to the BRED Committee by December 2, 2009. This committee is authorized to introduce legislation related to this report to the Second Regular Session of the 124th Legislature.) (The amendment replaces the resolve-- **Resolve, Directing the Commissioner of Professional and Financial Regulation to Conduct a Sunrise Review Regarding a Proposal To License Wetland Scientists--** and requires the Commissioner of Prof & Fin Regulation to conduct an independent assessment to the sunset review requirements of a proposal to license wetland scientists. Commissioner to submit report by Feb 15/2010

LD 1268 An Act to Update the Site Location of Development Laws. (Rep. Duchesne, Hudson) (Natural Resources Comm). Signed by Governor, Public Law Chapter 293
It eliminates the definition of "significant ground water aquifer." It eliminates the exceptions for a lot of 40 or more acres in the definition of "subdivision." It changes the exception for a sale or lease of a lot to an abutter in the def of "subdivision" by clarifying that the lot may not be further divided or transferred within a 5-year period, except as otherwise provided. It changes the exception for a common lot created with a conservation easement in the def of "subdivision." It removes the requirement that the lot be a common lot and adds the requirement that the conservation easement be approved by the DEP. Makes changes to a provision addressing approval of future dev sites to refocus it on long-term construction projects. It provides a one-time requirement concerning provisions in the site location & dev & storm water management requiring registration of municipalities.

LD 1399 - An Act Concerning Water Quality in Watersheds. (Rep. Tilton, Harrington) (Natural Resources Comm) – Not passed - Dead
Creates the Clean Shores Fund with the DEP to provide a funding source for grants to municipalities and other entities to identify and abate pollution in shellfish growing areas and to pay the Personal Services cost for 3 employees within the Dept of Marine Resources . The dedicated revenue for the Clean Shores Fund is established through surcharges on the installation of new sewer systems and the municipal combined sewer overflow and overboard discharges and on sewer utilities based on the number of ratepayers. Also requires the DEP to consider bacteria and viral standards when issuing waste discharge licenses to ensure that shellfish harvesting is protected. This bill contains the following paragraph:

Sec. 1. 30-A MRSA §4211, sub-§5, ¶D, as amended by PL 1999, c. 228, §3, is further amended to read:

D. A nonengineered subsurface wastewater disposal system fee not to exceed \$100 may be charged, and a surcharge of \$10 must be charged. The surcharge must be paid by the municipality to the Treasurer of State, who shall credit the amount to the Clean Shores Fund established under Title 38, section 424-B.

Clough Toppan
557-9693