

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out all of section 1 (page 1 lines 2 to 7 in L.D.) and inserting the following:

‘**Sec. 1. 38 MRSA §480-Q, sub-§28**, as enacted by PL 2009, c. 75, §4, is amended to read:

28. Release of water from dam after petition by owner for release from dam ownership or water level maintenance. Activity associated with the release of water from a dam pursuant to an order issued by the department pursuant to section 905; and

Sec. 2. 38 MRSA §480-Q, sub-§29, as enacted by PL 2009, c. 75, §5, is amended to read:

29. Dam safety order. Activity associated with the breach or removal of a dam pursuant to an order issued by the Commissioner of Defense, Veterans and Emergency Management under Title 37#B, chapter 24-; and

Sec. 3. 38 MRSA §480-Q, sub-§30 is enacted to read:

30. Lobster trap storage. The storage of lobster traps and related trap lines, buoys and bait bags on docks in, on, over or adjacent to a coastal wetland. For purposes of this subsection, "dock" means a dock, wharf, pier, quay or similar structure built in part on the shore and projected into a harbor and used as a landing, docking, loading or unloading area for watercraft.’

SUMMARY

The bill removes the Department of Environmental Protection's authority under the Natural Resources Protection Act to regulate lobster trap storage on docks. The bill does not address the storage of related trap lines, buoys and bait bags.

This amendment moves the provisions in the bill to the section of law related to exemptions to the permitting requirements of the Natural Resources Protection Act. The amendment provides that a Natural Resources Protection Act permit is not required for the storage of lobster traps and related trap lines, buoys and bait bags on a dock. It also clarifies the definition of "dock."