



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 774

H.P. 579

House of Representatives, February 12, 2019

An Act To Protect Maine's Beaches and Shoreline

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative GRAMLICH of Old Orchard Beach.
Cosponsored by Senator FOLEY of York and
Representatives: BABINE of Scarborough, BLUME of York, CAMPBELL of Orrington,
McCREIGHT of Harpswell, ZEIGLER of Montville, Senators: CARSON of Cumberland,
CHENETTE of York, MOORE of Washington.

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

2 **Sec. 1. 38 MRSA §1801, sub-§3,** as enacted by PL 1985, c. 794, Pt. A, §11, is
3 repealed and the following enacted in its place:

4 **3. Beach and shoreline management, protection and access.** Support beach and
5 shoreline management that gives preference to water-dependent uses over other uses, that
6 mitigates the effects of coastal erosion on beaches and the shoreline, that keeps beaches
7 and the shoreline healthy for habitat protection for coastal wildlife species and for
8 protection against storms, that promotes public access to beaches and the shoreline and
9 that considers the cumulative effects of development on coastal resources;

10 **Sec. 2. Beach advisory group.** In accordance with the provisions of this section,
11 the Commissioner of Environmental Protection shall convene an advisory group on beach
12 management, referred to in this section as "the group."

13 1. The Commissioner of Environmental Protection shall determine the membership
14 of the group, except that the commissioner shall invite the participation in the group of a
15 member of the Senate; a member of the House of Representatives; the Commissioner of
16 Inland Fisheries and Wildlife; the Director of the Bureau of Resource Information and
17 Land Use Planning within the Department of Agriculture, Conservation and Forestry; the
18 director of the Maine coastal zone management program within the Department of
19 Marine Resources; a representative of a regional coastal planning and development
20 commission or council; a representative of an organization that represents the interests of
21 municipalities in the State; a representative of an organization that represents the interests
22 of the tourism or recreational industry in the State; and a representative of an
23 environmental advocacy organization with specific expertise in coastal environmental
24 matters. The Department of Environmental Protection, as necessary and within existing
25 resources, shall provide staffing services to the group.

26 2. In addition to developing and recommending objectives, strategies, legislation and
27 other actions to mitigate coastal erosion in the State and to keep the State's beaches
28 healthy for protection against storms, for habitat protection for coastal wildlife species
29 and for recreational uses, the group shall review the report titled "Integrated Beach
30 Management Program Working Group Report," dated January 2017 and submitted to the
31 Joint Standing Committee on Environment and Natural Resources in the First Regular
32 Session of the 128th Legislature pursuant to Resolve 2015, chapter 66, update the data
33 and findings contained in that report, if necessary, and review and update the specific
34 recommendations for legislative, regulatory or other actions contained in that report, if
35 necessary.

36 3. No later than February 15, 2020, the Commissioner of Environmental Protection
37 shall submit a report to the Joint Standing Committee on Environment and Natural
38 Resources containing the findings and recommendations of the group following its
39 review and update of the 2017 report referenced in subsection 2, including any proposed
40 legislation necessary to implement those recommendations. After reviewing the report,
41 the committee may report out legislation to the Second Regular Session of the 129th
42 Legislature to implement recommendations contained in the report.

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SUMMARY

2 This bill amends the State's coastal management policies laws to ensure that those
3 policies address the effects of coastal erosion on the State's beaches and shoreline and
4 ensure the health of the State's beaches and shoreline for habitat protection for coastal
5 wildlife species and for protection against storms.

6 The bill also creates an advisory group on beach management, to be convened by the
7 Commissioner of Environmental Protection for the purpose of developing and
8 recommending objectives, strategies, legislation and other actions to mitigate coastal
9 erosion in the State and to keep beaches healthy for storm protection, habitat protection
10 for coastal wildlife species and for recreational use. The group is directed to review the
11 report titled "Integrated Beach Management Program Working Group Report," dated
12 January 2017 and submitted to the Joint Standing Committee on Environment and
13 Natural Resources in the First Regular Session of the 128th Legislature, update the data
14 and findings contained in that report, if necessary, and review and update the specific
15 recommendations for legislative, regulatory or other actions contained in that report, if
16 necessary. No later than February 15, 2020, the commissioner is required to submit a
17 report to the Joint Standing Committee on Environment and Natural Resources
18 containing the findings and recommendations of the group following its review of the
19 2017 report, including any proposed legislation necessary to implement those
20 recommendations. After reviewing the report, the committee may report out legislation
21 to implement those recommendations.