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An Act To Strengthen the Overboard Discharge Removal Grant Program

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

Sec. 1. 38 MRSA §411-A, sub-§5 is enacted to read:

5. Advance approval and dedication of reimbursement grants. The commissioner shall approve the application of an individual for a grant to reimburse the individual for the cost of removing any overboard discharge, subject to the provisions of subsection 2-A, in advance of construction if the following conditions are met:

- A. The owner of the overboard discharge has an annual income of \$75,000 or less;
- B. The removal is likely to result in the elimination of sources of contamination to shellfish areas or public nuisance conditions; and
- C. The removal is required under section 413, subsection 3 or section 414-A, subsection 1-B.

An applicant under this subsection shall provide to the department a written proposal describing the overboard discharge removal project, including a detailed estimate of the project expenses and any other information required by the department. If the commissioner finds that the application meets the criteria for a grant under this subsection, the commissioner shall ensure that the proposed project expenses eligible for the grant are immediately dedicated to the applicant's project and remain available for reimbursement of the applicant's actual eligible project expenses for a specified period of time of at least 90 days and shall notify the applicant in writing that the application has been approved and that the funds will be available for reimbursement of actual eligible project expenses for the specified period of time. Upon completion of the overboard discharge removal project, the applicant shall submit to the department written documentation of project completion, including financial documentation of all project expenses, and the commissioner shall, within a reasonable period of time, reimburse the individual for the eligible portion of the actual project expenses in accordance with subsection 2-A. The commissioner may not refuse reimbursement of actual eligible project expenses when an overboard discharge removal project is completed in a manner consistent with the application previously filed and approved under this subsection.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Land and Water Quality 0248

Initiative: Provides funding in fiscal years 2015-16 and 2016-17 to provide grants to reimburse individuals for the cost of removing an overboard discharge.

GENERAL FUND	2015-16	2016-17
All Other	\$200,000	\$200,000
GENERAL FUND TOTAL	\$200,000	\$200,000

SUMMARY

This bill amends the laws regarding the State's contribution to residential overboard discharge replacement projects. Under current law, depending on income level, an individual may apply for a grant for reimbursement of all or a portion of the cost of removing and replacing any overboard discharge, but may be approved for such reimbursement only after project completion. This bill allows the Commissioner of Environmental Protection to approve applications for reimbursement in advance of construction if certain conditions are met and to dedicate the proposed project expenses for reimbursement for a specified period of time. Upon completion of the project and submission of expense documentation, the commissioner is directed to reimburse the individual for the previously applied for and approved eligible project expenses. The bill also provides an appropriation in fiscal years 2015-16 and 2016-17 in the amount of \$200,000 per year to provide grants to reimburse individuals for the cost of removing an overboard discharge under this program.