

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 454

S. P. 187

In Senate, February 9, 1979

Referred to the Committee on Local & County Government. Sent down for concurrence and ordered printed.

Presented by Senator Pierce of Kennebec.

Cosponsor: Senator Redmond of Somerset.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

**AN ACT to Provide County Commissioners with the Exclusive Jurisdiction Over
the Removal of Ice Jams.**

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

Sec. 1. 30 MRSA § 305, is enacted to read:

§ 305. Removal of ice and debris

County commissioners, with the advice of representatives of the Department of Transportation and the Department of Inland Fisheries and Wildlife, may provide for the abatement of ice or debris located in rivers or streams above the tidewater and which threatens substantial damage to public or private property, highways, or bridges.

Sec. 2. 35 MRSA § 14 is repealed.

STATEMENT OF FACT

The intent of this bill is to authorize county commissioners to remove or abate dangerous ice jams and other hazards in rivers and streams. Present law requires the Public Utilities Commission to evaluate and make decisions about any action pertaining to dangerous ice flows and other hazards. In some cases, the hazard develops very rapidly, and a quick decision is required. In some cases, the Public Utilities Commission cannot act as quickly as the situation requires. Ice jams, for example, can pose a serious threat on a weekend, and the Public Utilities Commission cannot respond to the situation in sufficient time.