

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

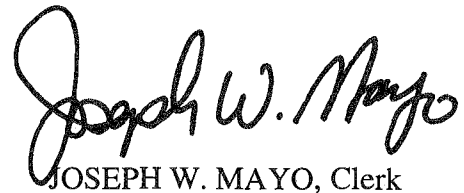
No. 782

H.P. 591

House of Representatives, February 4, 1997

An Act to Ensure the Availability of Expertise on Dam Safety.

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative NASS of Acton.
Cosponsored by Senator: LIBBY of York.

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

2 **Sec. 1. 37-B MRSA §1065, sub-§5,** as enacted by PL 1989, c.
4 545, §1, is amended to read:

6 **5. Correction of unsafe conditions.** After receiving a
8 report on a dam from a state dam inspector, if the director
10 determines that a dam is an imminent threat to the safety of the
12 public, the director may order the owners, lessees or persons in
14 control of the dam to make alterations to the dam or its
16 operations, including, but not limited to:

- 18 A. Breach or removal of the dam;
- 20 B. Repair or maintenance of the dam;
- 22 C. Operation of the dam in a specified manner;
- 24 D. Preparation of and adherence to an emergency operations
26 plan satisfactory to the agency; or
- 28 E. Maintenance of appropriate records relating to water
30 levels, dam operation and dam maintenance.

32 When the director issues an order under this subsection, the
34 director shall ensure that a state dam inspector is available to
36 provide technical assistance to the owners, lessees or persons in
38 control of the dam and to the municipality in which the dam is
40 located.

42 **Sec. 2. Appropriation.** The following funds are appropriated
44 from the General Fund to carry out the purposes of this Act.

	1997-98	1998-99
DEFENSE AND VETERANS'		
SERVICES, DEPARTMENT OF		
Dam Safety Program		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	\$34,267	\$48,048
All Other	2,250	3,000
Provides for the		
appropriation of funds for		
one dam inspector position to		
carry out dam inspections and		
provide technical assistance		

2 in order to carry out the
purposes of this Act.

4

6 DEPARTMENT OF DEFENSE	_____	_____
AND VETERANS' SERVICES	\$36,517	\$51,048

8

10

SUMMARY

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14 This bill requires that a state dam inspector be available
to provide technical assistance to the owners, lessees or persons
in control of a dam or to a municipality in which a dam is
located if the Director of the Maine Emergency Management Agency
16 orders the owners, lessees or persons in control of the dam to
correct unsafe conditions.

18

20 The bill also provides a General Fund appropriation for a
dam inspector position.