

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SECOND REGULAR SESSION

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 2084

H. P. 2007

House of Representatives, January 17, 1978

Governor's Bill. The Committee on Public Utilities suggested.

EDWIN H. PERT, Clerk

Presented by Mr. Violette of Van Buren.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-EIGHT

AN ACT Relating to Inspection of Dams.

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

Sec. 1. 38 MRSA § 811, as amended by PL 1975, c. 771, § 422, is further amended to read:

§ 811. Appointment of engineer; duties

The ~~Governor~~ **Commissioner of Agriculture** shall annually appoint a competent and practical engineer, a citizen of the State, who shall hold said office until his successor is appointed and qualified, and who shall, upon petition of 10 resident taxpayers of any town or several towns, the selectmen or assessors of any town or the county commissioners of any county, inspect any dam or reservoir located in such town or county erected for the saving of water for manufacturing or other uses, and after personal examination and hearing the testimony of witnesses summoned for the purpose, shall forthwith report to the ~~Governor~~ **Commissioner of Agriculture** his opinion of the safety and sufficiency thereof.

Sec. 2. 38 MRSA § 813 is amended to read:

§ 813. Compensation of engineer

Said engineer shall receive, as full compensation for his services, ~~\$5~~ \$75 a day while actually employed in such service, together with his actual traveling expenses to be audited, allowed and paid from the State Treasury, in cases where such dam or reservoir is by him adjudged safe and sufficient; and by the owners, occupants or lessees of said dam or reservoir, in cases where said dam or reservoir is by him adjudged unsafe and insufficient, to be recovered by said engineer in a civil action.

Sec. 3. 38 MRSA § 814 is enacted to read:

§ 814. Utilization of other state agency resources

The Commissioner of Agriculture may, with the approval of the Commissioner of Transportation, utilize the engineering expertise that exists in the Department of Transportation to assist in the evaluation of dams that are potentially hazardous to Maine citizens.

STATEMENT OF FACT

The purpose of this legislation is to consolidate the responsibility for all areas of dam activities and to increase the compensation of the engineer from \$5 per day to \$75 per day. Also, it provides for the utilization of the engineering expertise available in the Department of Transportation in order to effectively utilize the resources within State Government.