

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-420)  
109TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "~~A~~" to H.P. 1194, L.D. 1461, Bill, "AN ACT to Establish a Committee to Report to the Legislature on the Feasibility of Rebuilding Dams for the Production of Electricity."

Amend the Bill in section 1, subsection 7, by striking out all of paragraphs A to D and inserting in their place the following:

- A. One member, representing lake, river or stream-shore property owners;
- B. One member, representing an environmental organization in the State;
- C. A small hydroelectric dam developer;
- D. One member representing a financial institution;
- E. One member representing industry;
- F. One member representing an electric utility;
- G. One member representing a public owned electric utility;
- H. One member representing the general public; and
- I. One member with a good-working knowledge of surface water laws and flowage rights.

Further amend the Bill in section 2 by striking out all of the 2nd sentence and inserting in its place the following:

'It shall examine all pertinent questions relating to the development of small dam hydroelectric power. In addition, the committee shall examine the Mill Act, the Abandoned Dams Act, the Neglected Dams Act, all legal issues involving riparian rights and dam owner rights. The committee shall attempt to find statutory means and other means to resolve disputes between conflicting interests over the development of small hydropower generating facilities.'

Further amend the Bill in section 2 in the last paragraph by inserting after the word "Resources" the following:  
' , the Office of Legislative Assistants and the Office of the Attorney General'

Further amend the Bill by striking out all of the last 2 paragraphs and inserting in their place the following:

'Sec. 3. Reports. The committee shall report its findings and any necessary implementing legislation to the First Regular Session of the 110th Legislature.

Sec. 4. Compensation. The members of the Small Dam Committee, excluding the members representing state agencies, shall be compensated for expenses actually incurred to carry out the purposes of this Act.

Sec. 5. Appropriation. The following funds shall be appropriated from the General Fund to carry out the purposes of this Act.

1979-80

SMALL DAM STUDY COMMITTEE

All Other \$5,000

The funds provided for in this Act shall not lapse but shall be carried forward to carry out the purposes of this Act.'

Statement of Fact

This amendment increases the size of the Small Dam Committee from 13 members to 15 members and broadens the groups represented on the committee. In addition, this amendment requires the study committee to investigate the Mill Act, the Abandoned Dams Act and the Neglected Dams Act for the purpose of resolving the very complex legal questions arising out of the conflict rights.

This amendment also provides an appropriation of \$5,000 to the Small Dam Study Committee that will be used to conduct the study.

Since the bill will not become effective until October 1, 1979, the amendment extends the reporting date of the committee to the First Regular Session of the 110th Legislature.