

MAINE STATE LEGISLATURE

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New Draft of H. P. 237, L. D. 272
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1285

H. P. 1141

House of Representatives, March 17, 1981

Reported by Representative Dillenback from the Committee on State Government. Printed under Joint Rules No. 2.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Establish a Kennebec River Future Commission.

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

Sec. 1. Findings and purpose. The Legislature finds that historically the Kennebec River has been one of the most important natural resources of the State. Since log driving on the river has stopped and pollution control efforts have significantly cleansed its water, the flowage of the river is being used for more and varied purposes. Consequently, the Legislature finds that now is an appropriate time to determine public policy regarding the use of this flowage. It is hoped that conflicts in the use of this valuable resource can be resolved. Energy production, recreational development, transportation, water quantity and quality management should be able to co-exist.

It is the purpose of this legislation that a commission study the present and potential water uses within the Kennebec River Corridor and the impact on the flowage of the river, and make recommendations to the Legislature on how the river flowage may best be used for the people of the State.

Sec. 2. Commission established. There is established a Kennebec River Future Commission, hereinafter referred to as the "commission."

Sec. 3. Administration. The State Planning Officer shall provide office space and staff support to the commission and shall administer its functions.

Sec. 4. Membership. The commission shall be composed of 32 members. There shall be one member who is selected by the municipal officers from each of the following municipalities and cities in the Kennebec River Corridor: Caratunk, Moscow, Bingham, Embden, Solon, Anson, Madison, Norridgewock, Skowhegan, Fairfield, Waterville, Winslow, Vassalboro, Sidney, Augusta, Hallowell, Farmingdale, Gardiner, Randolph, Pittston, Richmond, Dresden, Bowdoinham, Bath, Woolwich, Phippsburg and Georgetown. There shall be 4 public members, including 2 members from the unorganized territories in the Kennebec River Corridor. There shall be 1 member representing the Kennebec Water Power Company.

Sec. 5. Appointment. The members shall be appointed as follows. The municipal officers of each municipality shall appoint a representative to the commission. The President of the Senate and the Speaker of the House of Representatives each shall appoint 2 public members, one who shall represent an unorganized township or plantation in the Kennebec River Corridor, and the other shall represent the broad spectrum of citizens who share an interest in the future of the Kennebec River. The officers of the Kennebec Water Power Company shall appoint the company's representative. The members shall be appointed in a timely manner and the commission shall hold an organizational meeting within 120 days after adjournment of the Legislature at the call of the chairman of the Legislative Council. At this meeting, the commission shall elect a chairman and a vice-chairman from within the membership.

Sec. 6. Duties. The commission shall:

1. **Existing and potential uses.** Determine the existing and potential industrial, commercial and recreational uses of the flowage of the Kennebec River;

2. **Conflicts.** Identify the present and potential conflicts among the various uses of the river;

3. **Public participation.** Determine, through public hearings and other mechanisms, the desires of the public and private interests using the river or living within the Kennebec River Corridor;

4. **Existing laws and regulations.** Review the existing federal, state and local laws and regulations affecting energy, environmental, industrial and commercial planning and development within the Kennebec River Corridor.

5. **Other studies and evaluations.** Make other studies and evaluations necessary to fully assess the best uses of the Kennebec River; and

6. **Recommendations.** Recommend to the Legislature any changes necessary to ensure the highest and best use of the land and water resources within the Kennebec River Corridor consistent with federal law, regulations and licenses, and with flow-management and control agreements and practices as filed with the Federal Energy Regulatory Commission.

Sec. 7. Reports. The commission shall present its findings, together with any suggested legislation, to the First Regular Session of the 111th Legislature.

Sec. 8. Compensation of members. Members shall receive reimbursement for the necessary actual expenses incurred in carrying out their duties.

Sec. 9. Assistance. All executive departments shall provide prompt assistance to the commission.

Sec. 10. Acceptance of funds. The commission may accept funds from any agency of the United States, from any private foundation and from any other public or private source for the purposes of carrying out this Act.

Sec. 11. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1981-82

KENNEBEC RIVER FUTURE COMMISSION

All Other

\$5,000

STATEMENT OF FACT

This New Draft changes the membership of the commission, and requires that its recommendations take account of land use, as well as water use, and be consistent with federal law and agreements and practices filed with the Federal Energy Regulatory Commission.