

MAINE STATE LEGISLATURE

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(EMERGENCY)

(New Draft of S.P. 804, L.D. 2152)
(New Title)

SECOND REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 2374

S.P. 875

In Senate, March 26, 1984

Reported by Senator Kany of Kennebec from the Committee on Energy and Natural Resources and printed under Joint Rule 2.

Original bill presented by Senator Dow of Kennebec and cosponsored by Representative Daggett of Manchester.

JOY J. O'BRIEN, Secretary of the Senate

STATE OF MAINE

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

RESOLVE, Requiring the Department of
Agriculture, Food and Rural Resources to Review
and Report on the State-owned Dam on Dead
River, Androscoggin County.

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the condition of the state-owned dam on Dead River, Androscoggin County, should be determined as soon as possible so that any necessary maintenance may be discovered and provided for; and

1 Whereas, negotiations concerning the disposition
2 of the dam and any necessary correction of damage the
3 dam may be causing should commence as soon as possi-
4 ble; and

5 Whereas, the Department of Agriculture, Food and
6 Rural Resources should begin an investigation towards
7 these ends immediately; and

8 Whereas, in the judgment of the Legislature,
9 these facts create an emergency within the meaning of
10 the Constitution of Maine and require the following
11 legislation as immediately necessary for the preser-
12 vation of the public peace, health and safety; now,
13 therefore, be it

14 Department of Agriculture, Food and Rural Re-
15 sources required to review and report on the state-
16 owned dam on Dead River, Androscoggin County. Re-
17 solved. That the Department of Agriculture, Food and
18 Rural Resources shall by the end of January 1985:

19 1. Review. Review the current circumstances and
20 condition of the state-owned dam on Dead River in the
21 Town of Leeds, Androscoggin County. This review shall
22 include an investigation of any shoreland erosion al-
23 leged to be caused by the dam and steps necessary to
24 prevent any future erosion. The department shall meet
25 with any landowner affected by or who claims to be
26 affected by erosion caused by the dam. The review
27 shall include discussions with the Town of Leeds, the
28 Town of Wayne and the Androscoggin Lake Improvement
29 Corporation concerning the possibilities of transfer-
30 ring ownership of the dam or maintenance responsibil-
31 ities for the dam to any of these entities; and

32 2. Report. Report to the joint standing commit-
33 tee of the Legislature having jurisdiction over ener-
34 gy and natural resources the findings and results of
35 the review described in this resolve.

36 **Emergency clause.** In view of the emergency
37 cited in the preamble, this resolve shall take effect
38 when approved.

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STATEMENT OF FACT

2 The original draft of this bill sought to deem
3 the state-owned dam on Dead River, Androscoggin County,
4 abandoned on October 1, 1984. The hearing on the
5 bill disclosed that more investigation of the condition
6 of the dam and negotiation with towns and people
7 affected by the dam should occur before the State
8 seeks to dispose of or otherwise provide for the
9 maintenance of the dam. This resolve requires that
10 investigation to occur and a report to be presented
11 to the Joint Standing Committee of the Legislature
12 having jurisdiction over energy and natural resources.
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