

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1967

7 H.P. 1395

House of Representatives, February 4, 1986

8 Approved for introduction by a majority of the Legislative Council
9 pursuant to Joint Rule 26.

10 Reference to the Committee on Energy and Natural Resources suggested
and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Ruhlin of Brewer.

11 Cosponsored by Speaker Martin of Eagle Lake, President Pray of
Penobscot and Senator Perkins of Hancock.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-SIX
16

17 AN ACT Concerning the Protection of the
18 Natural Resources on the Lower
19 Penobscot River.
20

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

23 38 MRSA §418-A, sub-§§4 and 5 are enacted to
24 read:

25 4. Dam. "Dam" means a structure entirely cross-
26 ing a body of flowing water that impounds that water
27 and has the capability to entirely prevent the flow
28 of that water.

29 5. Scope of authorization. Notwithstanding sub-
30 section 2, no dam may be operated by, leased to or
31 otherwise used for the benefit of any legal entity
32 other than a municipality.

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STATEMENT OF FACT

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This bill clarifies the legislative protection of natural resources on the lower Penobscot River. The definition of "dam" clarifies that the Bangor Dam located between Bangor and Brewer, in its present state is not a "dam," but if repaired and restored, would be a "dam" for this section. The authorization section clarifies that the city may operate the Bangor Dam, but may not lease it to any other entity.

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