



## 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

Legislative Document

No. 115

H.P. 85

House of Representatives, January 21, 1993

Reference to the Committee on Legal Affairs suggested and ordered printed.

OSEPH W. MAYO, Clerk

Presented by Representative KUTASI of Bridgton.

STATE OF MAINE

## IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-THREE

Resolve, to Direct the State to Compensate Property Owners and Business Owners on Sebago Lake for Damages Incurred as a Result of Low Water Levels. Sec. 1. State to compensate property owners for damages resulting from lowering of Sebago Lake water level. Resolved: That the State shall compensate persons who own commercial or residential property or a business on property immediately adjacent to Sebago Lake for losses incurred as a result of the water level falling below its 1990 level for any part of 1991, 1992 or 1993. Losses include loss of property value and loss of business income; and be it further

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10 Sec. 2. State Claims Commission to receive applications for property damage. Resolved: That the State Claims Commission in the 12 Department of Administrative and Financial Services shall receive and examine applications for compensation authorized in this 14 resolve. The State Claims Commission shall determine the amount of compensation, if any, due the applicant within 90 days of 16 receipt of the application and notify the applicant of the decision. An applicant may appeal the commission's decision in 18 accordance with the Maine Revised Statutes, Title 5, section 1510-A, subsection 4; and be it further

Sec. 3. Treasurer of State to pay claims. Resolved: That the State Claims Commission shall notify the Treasurer of State that compensation is due an applicant and the Treasurer of State shall promptly make payment to that person, unless an appeal of the commission decision has been filed.

## STATEMENT OF FACT

30 This resolve requires the State to compensate property and business owners around Sebago Lake for damages incurred as a 32 result of the lowering of the water level from the 1990 water level. The State does not have direct authority over the water 34 level in Sebago Lake, but did work with the owners of the hydroelectric plant that affects the lake level and with other 36 interested parties to establish a water level that resulted in the water being lower in 1991 and 1992 than it had been in the 38 previous years.