

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1362

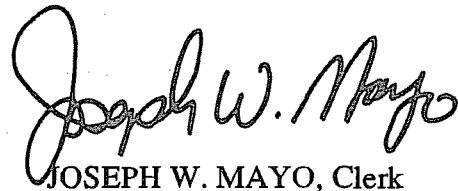
H.P. 1016

House of Representatives, April 29, 1993

An Act to Exempt Certain Dams from Permit Fees.

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Energy and Natural Resources suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative LORD of Waterboro.

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

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4 **Sec. 1. 38 MRSA §830, sub-§2,** as amended by PL 1991, c. 591,
Pt. E, §38, is further amended to read:

6 **2. Registration fee.** ~~Until~~ Except as provided in
8 subsection 2-B, until January 1, 1994, the annual fee for
10 registration is as follows, except that a state or federal agency
owning, leasing or controlling any dam is not required to pay a
fee:

12 A. One hundred dollars for any dam between 2 feet and 20
14 feet in height, inclusive; or

16 B. One hundred dollars plus an additional \$4 for each
18 additional one foot in height above 20 feet for any dam
greater than 20 feet in height.

20 This subsection is repealed on January 1, 1994.

22 **Sec. 2. 38 MRSA §830, sub-§2-A,** as enacted by PL 1991, c. 591,
Pt. E. §39, is amended to read:

24 **2-A. Registration fee.** ~~The~~ Except as provided in
26 subsection 2-B, the annual fee for registration is as follows,
except that a state or federal agency owning, leasing or
controlling any dam is not required to pay a fee:

28 A. Twenty dollars for any dam between 2 feet and 20 feet in
30 height, inclusive; or

32 B. Twenty dollars plus an additional \$1 for each additional
34 one foot in height above 20 feet for any dam greater than 20
feet in height.

36 This subsection takes effect January 1, 1994.

38 **Sec. 3. 38 MRSA §830, sub-§2-B** is enacted to read:

40 **2-B. Exemption from registration fee.** An owner of a dam is
42 exempt from the annual fee for registration if:

44 A. The dam is located on a body of water the entirety of
which is on an individual's property or within the
46 boundaries of a municipality; and

48 B. The water level of the dam is not the subject of
controversy and adjudicatory hearings under section 840 are
50 not required for the purpose of establishing a water-level
regime.

STATEMENT OF FACT

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4 Current law requires the payment of annual registration fees
6 for dams. This bill exempts from those fees dams that are
8 located on bodies of water that are located entirely on an
individual's property or within the boundaries of a municipality
and for which adjudicatory hearings are not required to establish
water levels.