

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

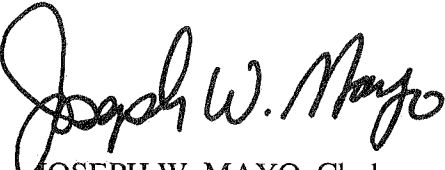
No. 1555

H.P. 1112

House of Representatives, March 18, 1997

**An Act to Create the River Flow Advisory Commission within the
Department of Defense and Veterans' Services.**

Submitted by the Department of Defense and Veterans' Services pursuant to Joint Rule 204.
Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative ROWE of Portland.

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

2
3 **Sec. 1. 5 MRSA §12004-G, sub-§13-D** is enacted to read:

4 13-D. River Flow Expenses 37-B MRSA
5 Environment/ Advisory Only §1080
6 Natural Commission
7 Resources

8
9 **Sec. 2. 37-B MRSA §1080** is enacted to read:

10 §1080. Establishment of commission

11 1. Establishment of commission. The River Flow Advisory
12 Commission, as established by Title 5, section 12004-G,
13 subsection 13-D and referred to in this section as the
14 "commission," shall act as a technical advisory commission to the
15 Department of Defense and Veterans' Services and the Governor's
16 office on issues of flow of the State's rivers and streams. The
17 commission shall also facilitate communication of river flow data
18 between dam operators, river basin managers, state agencies, the
19 United States Geological Survey and the National Weather Service
20 during floods and droughts and shall administer the State's
21 hydrologic monitoring program in cooperation with the United
22 States Geological Survey.

23 2. Membership. The commission is composed of these members:

24 A. The Commissioner of Defense and Veterans' Services or
25 the commissioner's designee;

26 B. The State Geologist or the State Geologist's designee;

27 C. The Commissioner of Agriculture, Food and Rural
28 Resources or the commissioner's designee;

29 D. The Commissioner of Environmental Protection or the
30 commissioner's designee;

31 E. The Commissioner of Inland Fisheries and Wildlife or the
32 commissioner's designee;

33 F. The Commissioner of Marine Resources or the
34 commissioner's designee;

35 G. The Director of the State Planning Office or the
36 director's designee;

37 H. The Commissioner of Transportation or the commissioner's
38 designee;

2 I. The District Chief of the United States Geological
3 Survey Water Resources Division Maine District Office;

4
5 J. The Meteorologist-in-Charge of the National Weather
6 Service Forecast Office in this State or the designee of the
7 Meteorologist-in-Charge;

8
9 K. Representatives from the major hydroelectric power
10 generators, as determined by the cochairs of the commission;
11 and

12
13 L. A representative of the public, appointed by the
14 Governor.

15 3. Chair. The District Chief of the United States
16 Geological Survey Water Resources Division Maine District Office
17 and the Commissioner of Defense and Veterans' Services or the
18 commissioner's designee shall act as cochairs of the commission.

19
20 4. Terms of office. The term of office of the public
21 member is 5 years. The public member may be removed from office
22 for cause by the Governor. Members from State Government or
23 Federal Government shall serve a term coincident with their
24 governmental position. The term of a representative from the
25 major hydroelectric power generators is 5 years.

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27 5. Voting. A quorum of at least 7 members must be present
28 for voting.

29
30 6. Administrative provision. The Maine Emergency
31 Management Agency shall administer the affairs and activities of
32 the commission.

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34 7. Records. The commission shall keep accurate records of
35 its proceedings and shall file them with the Maine Emergency
36 Management Agency.

37
38 8. Compensation. Members of the commission are not
39 entitled to receive compensation.

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41 9. Meetings. The commission shall meet at least once per
42 calendar year at the call of either of the cochairs to review
43 hydrologic conditions prior to the spring snowmelt and runoff for
44 the purpose of issuing an advisory statement on the potential for
45 major river flooding. Either of the cochairs may call additional
46 meetings as needed.

47
48 10. Powers and duties. The commission has the power and
49 duty only to:

- 2 A. Advise the Department of Defense and Veterans' Services
3 and the Governor on issues of flow within the State's rivers
4 and streams;
- 6 B. Assist in communication of river flow data between dam
7 operators, river basin managers, state agencies and federal
8 agencies; and
- 10 C. Administer the State's cooperative hydrologic monitoring
11 program in cooperation with the United States Geological
12 Survey.

14 **Sec. 3. Appropriation.** The following funds are appropriated
15 from the General Fund to carry out the purposes of this Act.

	1997-98	1998-99
18 DEFENSE AND VETERANS'		
20 SERVICES, DEPARTMENT OF		
22 Maine Emergency Management		
23 Agency		
24 All Other	\$85,000	\$5,000
26 Provides a one-time		
27 appropriation of \$80,000 to		
28 reimburse the United States		
29 Geological Survey for work in		
30 the joint hydrologic		
31 monitoring in fiscal year		
32 1990-91 and fiscal year		
33 1991-92, which the State was		
34 unable to pay at the time,		
35 and \$5,000 for annual		
36 operating costs for 4 new		
37 stage-only gauges that have		
38 been funded but not installed.		
40		
42 DEPARTMENT OF DEFENSE AND		
43 VETERANS' SERVICES		
44 TOTAL	\$85,000	\$5,000

SUMMARY

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This bill creates the River Flow Advisory Commission to advise the Governor and the Department of Defense and Veterans' Services on issues relating to the flow of the State's rivers and streams, to assist in communicating information and to administer the State's hydrologic monitoring program in cooperation with the United States Geological Survey.

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