

# MAINE STATE LEGISLATURE

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R.S.

L.D. 2481

DATE: 4/26/00

(Filing No. S-760)

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STATE OF MAINE  
SENATE  
119TH LEGISLATURE  
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1768, L.D. 2481, Bill, "An Act to Reconstruct 2 Small Dams on Rocky Lake in Whiting"

Amend the amendment by inserting after the title the following:

'Amend the bill by striking out the title and substituting the following:

'An Act to Establish the Dam Repair and Reconstruction Fund and Reconstruct 2 Small Dams in Whiting'

Further amend the amendment in the first indented paragraph after the title in the first line (page 1, line 22 in amendment) by striking out the following: "Amend" and inserting in its place the following: 'Further amend'

Further amend the amendment by striking out all of section 1 (page 1, lines 26 to 41 in amendment) and inserting in its place the following:

'Sec. 1. 38 MRSA §844 is enacted to read:

**§844. Dam Repair and Reconstruction Fund**

**1. Fund established.** The Dam Repair and Reconstruction Fund, referred to in this section as the "fund," is established. The department shall administer the fund and may make grants from the fund solely for the repair or reconstruction of a dam pursuant to this section.

**2. Grant criteria.** A dam is eligible for a grant from the fund if it:

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SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1768,  
L.D. 2481

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A. Controls the flow of water;

B. Is breached and causes a lowering of the water level; and

C. Meets any other criterion the department may by rule require.

3. Rulemaking. The department shall adopt rules to implement this section, including criteria and procedures for the application for and award of grants from the fund. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

**Sec. 2. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

**2000-01**

**ENVIRONMENTAL PROTECTION,  
DEPARTMENT OF**

**Dam Repair and Reconstruction  
Fund**

All Other \$400,000

Appropriates funds on a one-time basis to provide initial funding for the Dam Repair and Reconstruction Fund as established by the Maine Revised Statutes, Title 38, section 844. These funds must be transferred by the State Controller within 30 days of the effective date of this Act to the Dam Repair and Reconstruction Fund.

**Sec. 3. Allocation.** The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

**2000-01**

**ENVIRONMENTAL PROTECTION,  
DEPARTMENT OF**

**Dam Repair and Reconstruction Fund**

All Other \$148,800

Allocates funds on a one-time basis for reconstruction of 2 dams that control the water level at Rocky Lake in Whiting.

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## FISCAL NOTE

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This amendment increases the General Fund cost of the bill by \$400,000 in fiscal year 2000-01. The amendment includes a one-time General Fund appropriation of \$400,000 in fiscal year 2000-01 for the Department of Environmental Protection to provide initial funding for the Dam Repair and Reconstruction Fund. The amendment also includes a one-time Other Special Revenue funds allocation of \$148,800 in fiscal year 2000-01 for the Department of Environmental Protection for reconstruction of 2 dams that control the water level at Rocky Lake in Whiting and strikes an allocation in the same amount to the Department of Inland Fisheries and Wildlife for the same purpose.

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## SUMMARY

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This amendment establishes the Dam Repair and Reconstruction Fund to be administered by the Department of Environmental Protection for repair or reconstruction of dams that are breached and thereby cause a lowering of water levels and that meet the criteria developed by the department. The amendment also allocates funds from the fund to repair 2 dams in Whiting.

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SPONSORED BY:

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COUNTY: Penobscot

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