

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 481

H.P. 379

House of Representatives, February 1, 2001

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### **An Act to Modify the Dam Repair and Reconstruction Fund.**

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Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative WINSOR of Norway.  
Cosponsored by Representative STANLEY of Medway, Senator MARTIN of Aroostook and  
Representatives: TUTTLE of Sanford, Senators: President Pro Tem BENNETT of Oxford,  
President MICHAUD of Penobscot.

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

Sec. 1. 37-B MRSA §1059-A is enacted to read:

**§1059-A. 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 make low-interest loans from the fund for purposes pursuant to this section.

**2. Purposes.** The fund provides low-interest loans to municipalities for engineering, legal and construction costs involved in acquiring title to, establishing a long-term management plan for, repairs to and reconstruction of a dam.

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

**4. Nonlapsing.** Any balance in the fund at the end of the fiscal year may not lapse but must be carried forward to the next fiscal year.

Sec. 2. 38 MRSA §844, as enacted by PL 1999, c. 782, §1, is repealed.

Sec. 3. State Controller to transfer balance. The State Controller shall transfer any balance held in the former Dam Repair and Reconstruction Fund established in the Maine Revised Statutes, Title 38, section 844 to the Dam Repair and Reconstruction Fund established in Title 37-B, section 1059-A on the effective date of this Act.

Sec. 4. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

2001-02

**DEFENSE, VETERANS AND EMERGENCY  
MANAGEMENT, DEPARTMENT OF**

**Dam Repair and Reconstruction  
Fund**

All Other \$250,000

2           Appropriates funds to provide low-interest  
3           loans from the Dam Repair and Reconstruction  
4           Fund, as established by the Maine Revised  
5           Statutes, Title 37-B, section 1059-A. Any  
6           balances may not lapse, but must be carried  
7           forward.

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## SUMMARY

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13           This bill transfers the Dam Repair and Reconstruction Fund  
14           from the Department of Environmental Protection to the Department  
15           of Defense, Veterans and Emergency Management. This bill also  
16           changes the use of the fund from making grants for dams that are  
17           breached to making low-interest loans to municipalities for  
18           engineering, legal and construction costs associated with  
19           acquiring title to, establishing long-term management plans for,  
20           repairs to and reconstruction of dams.

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