

MAINE STATE LEGISLATURE

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NATURAL RESOURCES

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STATE OF MAINE

SENATE

124TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 112, L.D. 348, Bill, "An Act To Facilitate the Removal of Dams That Pose a Hazard to Public Safety and the Installation and Repair of Fishways"

Amend the bill in section 3 in subsection 27 in the 2nd line (page 1, line 19 in L.D.) by striking out the following: "or performed"

Amend the bill in section 4 by striking out all of subsection 28 (page 1, lines 23 to 25 in L.D.) and inserting in its place the following:

28. Release of water from dam after petition by owner for release from dam ownership or water level maintenance. Activity associated with the release of water from a dam pursuant to an order issued by the department pursuant to section 905; and'

SUMMARY

This amendment amends the exemption for fishway proceedings in the bill to be consistent with the provisions in the Maine Revised Statutes, Title 12, section 12760 and Title 12, section 6121. The bill exempts from the Natural Resources Protection Act the erection, maintenance, repair or alteration of a fishway in a dam when required or performed by the Commissioner of Inland Fisheries and Wildlife or the Commissioner of Marine Resources; the amendment removes "or performed." The amendment also amends the exemption for abandoned dams by removing the term "abandoned" to be consistent with provisions in Title 38, section 905.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



124th MAINE LEGISLATURE

LD 348

LR 639(02)

An Act To Facilitate the Removal of Dams That Pose a Hazard to Public Safety and the Installation and Repair of Fishways

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Natural Resources

Fiscal Note Required: Yes

Fiscal Note

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Revenue				
Other Special Revenue Funds	(\$591)	(\$591)	(\$591)	(\$591)

Fiscal Detail and Notes

This bill amends the Natural Resources Protection Act to not require a permit for certain dam or fishway modifications or activities when required by the Departments of Inland Fisheries and Wildlife, Marine Resources, Environmental Protection and Defense, Veterans and Emergency Management. The reduction in permits will result in an ongoing estimated loss of revenue each year of \$591 to the Department of Environmental Protection.