

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 909

H.P. 665

House of Representatives, March 8, 2021

**An Act Regarding the Depth of Phillips Lake in the Town of
Dedham**

(EMERGENCY)

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative O'CONNELL of Brewer.
Cosponsored by Senator BALDACCI of Penobscot.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas**, this legislation is necessary to provide the Lucerne-in-Maine Village
4 Corporation the authority to adopt at an annual meeting the height of the dam at the north
5 end of Phillips Lake in the Town of Dedham; and

6 **Whereas**, it is necessary for this legislation to take effect prior to the expiration of the
7 90-day period in order to ensure sufficient time for any necessary research regarding
8 seasonal changes in water flow associated with the dam; and

9 **Whereas**, in the judgment of the Legislature, these facts create an emergency within
10 the meaning of the Constitution of Maine and require the following legislation as
11 immediately necessary for the preservation of the public peace, health and safety; now,
12 therefore,

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

14 **Sec. 1. P&SL 2005, c. 17** is amended to read:

15 **Sec. 1. Lucerne-in-Maine Village Corporation authorized to construct,**
16 **operate and maintain dam.** The Lucerne-in-Maine Village Corporation in the Town
17 of Dedham, Hancock County is authorized to construct, operate and maintain a dam at the
18 outlet at the north end of Phillips Lake in the Town of Dedham. The Notwithstanding the
19 Maine Revised Statutes, Title 38, chapter 5, subchapter 1, article 3-A, subarticle 4, the dam,
20 including any flashboards, must be constructed, operated and maintained at no higher than
21 227 feet above sea level as established by the National Geodetic Survey a height adopted
22 by the Lucerne-in-Maine Village Corporation at an annual meeting and at a width that is
23 no less than the current width of the dam.

24 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
25 takes effect when approved.

26 **SUMMARY**

27 Under current law, the Lucerne-in-Maine Village Corporation in the Town of Dedham
28 is required to construct, operate and maintain a dam at the north end of Phillips Lake at no
29 higher than 227 feet above sea level. The bill removes that height restriction and instead
30 requires the dam to be constructed, operated and maintained at a height adopted by the
31 Lucerne-in-Maine Village Corporation at an annual meeting.