

# MAINE STATE LEGISLATURE

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L.D. 1488

Date: 6-7-21

(Filing No. H-436)

MAJORITY

ENVIRONMENT AND NATURAL RESOURCES

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1102, L.D. 1488, "Resolve, To Study and Recommend Improvements to Maine's Dam Safety"

Amend the resolve by striking out everything after the title and inserting the following:

**Sec. 1. Dam safety peer review. Resolved:** That, to the extent funds are available, the Department of Defense, Veterans and Emergency Management shall submit a request to the Association of State Dam Safety Officials to conduct a peer review of the State's dam safety efforts under the Maine Revised Statutes, Title 37-B, chapter 24, to be completed by June 1, 2022.

**Sec. 2. Stakeholder review. Resolved:** That, if the peer review under section 1 is completed by June 1, 2022 and to the extent funds are available, the Department of Defense, Veterans and Emergency Management shall convene a stakeholder group to review and allow for public input on the peer review. The stakeholder group must include, but is not limited to, the following stakeholders: federal agencies, state and local emergency management officials, hazard assessment and public safety experts, including dam safety experts, civil engineering organizations, environmental organizations, municipal dam operators and private dam owners. The review must include, but is not limited to, discussion of recommendations to address any deficiencies identified in the peer review. The department may designate an outside entity to facilitate and assist in the review under this section.

**Sec. 3. Report. Resolved:** That, if the peer review under section 1 is completed by June 1, 2022, by January 1, 2023, the Department of Defense, Veterans and Emergency Management shall submit a report to the joint standing committee of the Legislature having jurisdiction over veterans affairs that includes the results of the peer review received pursuant to section 1, a summary of the stakeholder review under section 2 and any recommendations for the improvement of dam safety resulting from the stakeholder review, including suggested legislation. The committee may report out a bill to the First Regular Session of the 131st Legislature based on the report.

COMMITTEE AMENDMENT

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**Sec. 4. Financial assistance. Resolved:** That the Department of Defense, Veterans and Emergency Management may use available funds from any public or private source, including, but not limited to, any available federal funding, for the peer review under section 1, the stakeholder review under section 2 and the development of the report under section 3 and shall disclose those funding sources in the report.'

Amend the resolve by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment replaces the resolve. It requires, to the extent funds are available, the Department of Defense, Veterans and Emergency Management to request a peer review from the Association of State Dam Safety Officials, to be conducted by June 1, 2022, of the State's dam safety efforts.

The amendment requires, to the extent funds are available and if the peer review is completed by June 1, 2022, the department to convene a stakeholder group to review and receive public input on the peer review, including recommendations to address any deficiencies identified in the peer review, and specifies the stakeholders that must be included in the review. It allows the department to designate an outside entity to facilitate and assist in the stakeholder review.

If the peer review is completed and a stakeholder group is convened, the amendment requires the department to submit a report to the joint standing committee of the Legislature having jurisdiction over veterans affairs that includes the results of the peer review, a summary of the stakeholder review and any recommendations for the improvement of dam safety, including suggested legislation. It allows the committee to report out a bill to the First Regular Session of the 131st Legislature based on the report.

The amendment allows the department to use available funds from any public or private source, including, but not limited to, any available federal funding, for the peer review, the stakeholder review and the development of the report and requires the department to disclose those funding sources in its report.

**FISCAL NOTE REQUIRED  
(See attached)**



Revised: 06/01/21 *MAC*

# 130th MAINE LEGISLATURE

LD 1488

LR 1698(02)

Resolve, To Study and Recommend Improvements to Maine's Dam Safety

Fiscal Note for Bill as Amended by Committee Amendment *(ACH-436)*

Committee: Environment and Natural Resources

Fiscal Note Required: Yes

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## Fiscal Note

Potential current biennium cost increase - Other Special Revenue Funds

Potential current biennium cost increase - Federal Expenditures Fund

Potential current biennium revenue increase - Other Special Revenue Funds

Potential current biennium revenue increase - Federal Expenditures Fund

### Fiscal Detail and Notes

The bill includes a dam safety peer review and a subsequent stakeholder review. The bill contains language that these provisions will not be done unless private, public or federal funds are received to cover the costs. It is currently estimated that the peer review will cost \$15,000.