

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

*Bill Summaries
Joint Standing Committee
on
Natural Resources*

August 2001

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120th Legislature
First Regular Session

Summary Of Legislation Before The Joint Standing Committees
August 2001

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER</i>	<i>Bill Carried Over to Second Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

David E. Boulter, Director
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Joint Standing Committee on Natural Resources

LD 481

An Act to Promote Dam Safety

PUBLIC 460

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WINSOR MARTIN	OTP-AM	H-559 S-380 GOLDTHWAIT

LD 481 proposed to transfer the Dam Repair and Reconstruction Fund from the Department of Environmental Protection to the Department of Defense, Veterans and Emergency Management. The bill also proposed to change the use of the fund from making grants for dams that are breached to making low-interest loans to municipalities for engineering, legal and construction costs associated with acquiring title to, establishing long-term management plans for, repairs to and reconstruction of dams.

Committee Amendment "A" (H-559) proposed to replace the bill and to consolidate existing dam safety laws within the Department of Defense, Veterans and Emergency Management.

Senate Amendment "A" to Committee Amendment "A" (S-380) proposed to strike the appropriation section of Committee Amendment "A" that would have provided funding for 2 positions with the dam safety inspection program.

Enacted law summary

Public Law 2001, chapter 460 consolidates existing dam safety laws within the Department of Defense, Veterans and Emergency Management and moves the Dam Repair and Reconstruction Fund from the Department of Environmental Protection to the Department of Defense, Veterans and Emergency Management. The substantive changes made in the dam safety laws in this law include changing the definition of a dam to exclude low-head dams that do not pose a safety risk, codifying the definitions of high, low and significant hazard potential dams, setting forth a new schedule for inspections and hazard evaluation and authorizing the Department of Defense, Veterans and Emergency Management to issue an order to breach, remove or control a dam if the dam presents a potential risk to public safety.

The law also expands the use of money in the dam repair and reconstruction fund to include the breaching or removal of a dam. The law transfers all funds in the dam reconstruction and repair fund from the Department of Environmental Protection to the Department of Defense, Veterans and Emergency Management and allocates funds from the Dam Repair and Reconstruction Fund within the Department of Defense, Veterans and Emergency Management to the Department of Inland Fisheries and Wildlife to fully fund the repair and reconstruction of 2 dams on Rocky Lake in Whiting.