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An Act To Require a Municipality That Abuts a Body of Water To Contribute to the Cost of Upkeep of Municipally Owned Dams on That Body of Water

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. 38 MRSA §841-A is enacted to read:

§ 841-A. Municipally owned dams; apportionment of maintenance and repair costs

Costs of maintenance and repair for a municipally owned dam must be apportioned pro rata between the municipality that owns the dam and a municipality or municipalities in which an impoundment from that dam is located. The pro rata share must be based on the respective linear feet of shoreline on the water impounded by the dam within each municipality or in accordance with a method set forth in an interlocal agreement entered into by the municipalities pursuant to Title 30-A, section 2203.

SUMMARY

This bill requires the apportionment of maintenance and repair costs for municipally owned dams between the municipality that owns the dam and all municipalities that abut the body of water contained by the dam.