

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
FIRST SPECIAL SESSION

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ONE HUNDRED AND SIXTH LEGISLATURE

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**Legislative Document**

**No. 2264**

S. P. 784

In Senate, January 2, 1974

Referred to Committee on Appropriations and Financial Affairs. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Anderson of Hancock.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FOUR

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**RESOLVE, Providing Funds to Settle an American Arbitration Association Award and for Extra Costs in Constructing a Fish Trap on the Union River.**

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

Whereas, it has been determined by the Bureau of Public Improvements and the American Arbitration Association that the Atlantic Sea Run Salmon Commission owes the contractor for the amount stated below; and

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

**Atlantic Sea Run Salmon Commission; appropriation for fish trap costs. Resolved:** That the sum of \$38,000 is appropriated from the Unappropriated Surplus of the General Fund to the Atlantic Sea Run Salmon Commission for the extra costs of construction involved in a fish trap on the Union River at Ellsworth; and be it further

**Resolved:** That there is appropriated from the Unappropriated Surplus of the General Fund to the Atlantic Sea Run Salmon Commission the sum of \$19,427 in settlement of an American Arbitration Association award.

**Emergency clause.** In view of the emergency cited in the preamble, this resolve shall take effect when approved.

## STATEMENT OF FACT

The construction of the Union River fish trap at Ellsworth is a vital link to successful Atlantic Salmon restoration in Maine. Adult fish taken at this facility will be available as a source of eggs for a new multi-million dollar federal salmon hatchery at Green Lake.

To provide maximum operating efficiency, the trap was located adjacent to the turbine discharge area of the Bangor Hydro-electric Dam. A detailed survey of the river bottom adjacent to the base of the dam could not be accomplished because of adverse water conditions. After the project was begun and the area dewatered at the trap site, modifications to the original design were necessary to expedite the construction project. Extra structural work and concrete were necessary because of the large amount of rubble which had to be removed at the trap site.

A dispute between the contractor and the Salmon Commission was referred to arbitration. As a result, the Arbitration Board awarded an additional \$19,427 to the contractor, the General Marine Construction Corporation.

The total cost overrun as a result of these circumstances amounts to \$38,000. In order for the Salmon Commission to meet its financial commitments, it is essential that these funds be made available.