## MAINE STATE LEGISLATURE

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## 126th MAINE LEGISLATURE

## **FIRST REGULAR SESSION-2013**

**Legislative Document** 

No. 748

H.P. 499

House of Representatives, February 28, 2013

An Act Regarding the Passage of River Herring on the St. Croix River

(EMERGENCY)

Reference to the Committee on Marine Resources suggested and ordered printed.

Millicent M. Macfarland MILLICENT M. MacFARLAND Clerk

Presented by Representative MacDONALD of Boothbay. Cosponsored by Representatives: CHAPMAN of Brooksville, MITCHELL of the Penobscot Nation, SOCTOMAH of the Passamaquoddy Tribe.

1 2	<b>Emergency preamble. Whereas,</b> acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
3 4 5	<b>Whereas,</b> the prohibition on allowing river herring to pass upstream from the Grand Falls Dam on the St. Croix River is a significant impediment to the restoration of river herring to historic levels in the St. Croix watershed; and
6 7 8	<b>Whereas,</b> legislation allowing unimpeded passage of river herring upstream from the Grand Falls Dam on the St. Croix River needs to take effect prior to the river herring's spring spawning run; and
9 10 11 12	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,
13	Be it enacted by the People of the State of Maine as follows:
14 15	<b>Sec. 1. 12 MRSA §6134, sub-§1,</b> as amended by PL 2011, c. 598, §12, is further amended to read:
16 17 18 19	1. Woodland Dam and Grand Falls Dam. By May 1, 2008 2013, the commissioner and the Commissioner of Inland Fisheries and Wildlife shall ensure that the fishway fishways on the Woodland Dam is and the Grand Falls Dam are configured or operated in a manner that allows the unlimited passage of river herring.
20 21	Sec. 2. 12 MRSA §6134, sub-§2, as amended by PL 2011, c. 598, §12, is repealed.
22 23	<b>Emergency clause.</b> In view of the emergency cited in the preamble, this legislation takes effect when approved.
24	SUMMARY
25 26 27 28	This bill requires the Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife to ensure by May 1, 2013 that fishways on the Woodland Dam and the Grand Falls Dam are configured in a manner that allows the unlimited passage of river herring.