

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

RESOLVES
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND EIGHTH LEGISLATURE

1977

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ATTORNEY GENERAL, DEPARTMENT OF
All Other

\$3,000

Effective October 24, 1977

CHAPTER 55

RESOLVE, Authorizing and Directing the Commissioner of Marine Resources, the Commissioner of Inland Fisheries and Wildlife and the Atlantic Sea Run Salmon Commission to Take the Steps Necessary to Assure the Construction of a Fishway on the Dam Obstructing the Kennebec River at Augusta.

Commissioners of Marine Resources and Inland Fisheries and Wildlife and the Atlantic Sea Run Salmon Commission are authorized and directed to exercise their respective powers to assure the construction of a fishway on the dam obstructing the Kennebec River at Augusta. **Resolved:** That the Commissioners of Marine Resources and Inland Fisheries and Wildlife and the Atlantic Sea Run Salmon Commission are authorized and directed to use their statutory powers to assure the construction of a fishway on the dam obstructing the Kennebec River at Augusta, and to:

1. **Investigate.** Diligently investigate the legal issues that shall be resolved before a fishway can be constructed on the dam at Augusta and seek the assistance of the Department of the Attorney General with regard to such matters;

2. **Initiate and prosecute.** Through the Attorney General, initiate and prosecute whatever legal actions are appropriate and necessary to resolve such legal issues, including petitioning and intervening before the Federal Power Commission with regard to modification of the license of the dam issued by the Federal Power Commission;

3. **Take appropriate and necessary steps.** Take whatever other steps are appropriate and necessary to accomplish the objectives of this resolve, including negotiations with the owners of the dam at Augusta;

4. **Propose legislation.** Propose any legislation needed to aid them in carrying out objectives of this resolve; and

5. **Reports to Legislature.** On or before January 30, 1978, and at each annual session thereafter until completion of the project, the Commissioners of Marine Resources, Inland Fisheries and Wildlife and the Atlantic Sea Run Salmon Commission shall submit progress reports to the Legislature describing all actions taken pursuant to this resolve and all remaining obstacles to the construction of a fishway or the dam obstructing the Kennebec River at Augusta.

6. Edwards Manufacturing Co., Inc., and Augusta Development Corporation. Notwithstanding any other provision of law, the Edwards Manufacturing Co., Inc., and the Augusta Development Corporation shall not be responsible for any expenses or costs incurred in the implementation of this resolve; nor shall the implementation of this resolve interfere in any way with the operations of the Edwards Manufacturing Co., Inc., the Augusta Development Corporation or their successors or assigns.

Effective October 24, 1977

CHAPTER 56

RESOLVE, to Appropriate Moneys for Research on Blackfly Biology and Continued Research on an Environmentally Safe Insecticidal Control for Blackflies.

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

Whereas, blackflies in recent years have developed from a springtime pest to a major nuisance lasting the whole summer, due to the presence of a multigeneration pest species, and cause much suffering and in some cases serious illness; and

Whereas, blackflies by their biting activity cause economic harm by inhibiting full economic development of resort areas, making outdoor work less efficient and possibly decreasing profits from livestock; and

Whereas, several towns of the Penobscot River watershed, whose citizens suffered severely from blackflies during the past few years voted funds for blackfly control, but could not use the money because there was no technology available for control of the blackflies, and thereafter voted funds for the first year of research on insecticidal control of blackflies; and

Whereas, entomologists at the Department of Entomology, University of Maine at Orono, are conducting research on blackfly biology and control, partially funded extramurally, and cooperative work is being conducted by biologists of the Cooperative Fishery Research Unit, University of Maine; and

Whereas, progress on understanding the biology of local blackfly species, and subsequent research on insecticidal control of blackflies cannot be conducted without supplementary funds of \$5,000 during the fiscal year 1977-78; 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