

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1514

H. P. 1108

House of Representatives, May 4, 1965

Reported by a Majority of the Committee on Inland Fisheries and Game.
Printed under Joint Rules No. 10.

JEROME G. PLANTE, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Providing for Adequate Fishways in Dams.

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

Sec. 1. R. S., T. 12, § 2201, amended. Section 2201 of Title 12 of the Revised Statutes is amended by adding after the first paragraph, a new paragraph, as follows:

'The commissioner shall hold a hearing as follows:

1. **Petition by citizens.** Whenever he shall be petitioned by 25 citizens of a municipality in which such a dam or artificial obstruction exists;

2. **Petition by county commissioners.** Whenever he shall be petitioned by a majority of the county commissioners in a county where such dam or artificial obstruction is in an unorganized territory;

3. **Directed by committee.** Whenever he shall be directed by the Inland Fish and Game Legislative Committee that such a dam or artificial obstruction exists.'

Sec. 2. R. S., T. 12, § 2201, amended. The 3rd and 4th paragraphs of section 2201 of Title 12 of the Revised Statutes are amended to read as follows:

'Hearing shall be held by the commissioner or such subordinate officer of the department as the commissioner may designate, at a time and place selected by the commissioner. **Notice of the hearing to be held, the time and place thereof, shall be published once a week for 2 successive weeks prior to the hearing in the state newspaper.**

After hearing, the commissioner, **with the approval of the advisory council,**

by written order may require the owners or occupants of said dam or obstruction to provide, erect, maintain, repair or alter a suitable fishway, and he shall further prescribe, the time during which said fishway shall be kept open for the passage of fish, under such conditions as shall be specified in said written order. The commissioner may amend the order, changing the time during which said fishway shall be kept open. Certified copies of the orders and any amendments shall be mailed to the owners or occupants of said dam or obstruction.