

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2013

Sec. 1. 12 MRSA §6134, as amended by PL 2011, c. 598, §12, is repealed and the following enacted in its place:

§6134. River herring passage; fishways on the St. Croix River

By May 1, 2013, the commissioner and the Commissioner of Inland Fisheries and Wildlife shall ensure that the fishways on the Woodland Dam and the Grand Falls Dam located on the St. Croix River are configured or operated in a manner that allows the unconstrained passage of river herring.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 23, 2013.

CHAPTER 48

S.P. 48 - L.D. 127

An Act Relating to Ways under the Jurisdiction of the Midcoast Regional Redevelopment Authority and the Loring Development Authority

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

Sec. 1. 5 MRSA §13080-D, sub-§4 is enacted to read:

4. Enforcement on ways under jurisdiction of the authority. A law enforcement officer may enforce the traffic laws under Title 29-A on a way under the jurisdiction of the authority.

Sec. 2. 5 MRSA §13083-K, sub-§4 is enacted to read:

4. Enforcement on ways under jurisdiction of the authority. A law enforcement officer may enforce the traffic laws under Title 29-A on a way under the jurisdiction of the authority.

See title page for effective date.

CHAPTER 49

S.P. 222 - L.D. 632

An Act To Enact Measures To Improve Enforcement Mechanisms in the Elver Industry

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

Whereas, elver prices are unusually high and elver purchasing transactions have created law enforcement difficulties; and

Whereas, the safety of the public and of law enforcement is at stake and elver season is already under way, and therefore it is necessary immediately to modify the strategies available to law enforcement to increase safety and accountability in the elver industry; 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 enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §6173, sub-§1, as enacted by PL 2003, c. 170, §1, is amended to read:

1. Collection and reporting of statistics. The commissioner may, with the advice and consent of the advisory council, adopt rules to collect pertinent data with respect to the fisheries, including, but not limited to, information regarding the type and quantity of fishing gear used, catch by species in numbers of fish or weight, areas in which fishing was conducted, time of fishing, number of hauls and the estimated processing capacity of, and the actual processing capacity utilized by United States fish processors. The commissioner may collect statistics from any source and may require reporting of these statistics. The information collected by or reported to the commissioner is confidential and may not be disclosed in a manner or form that permits identification of any person or vessel, except when required by court order or when specifically permitted under this section. The commissioner may share data collected under this section with the National Marine Fisheries Service or successor organization for research or fisheries management purposes, ~~provided that as long as~~ federal laws and regulations protect the confidentiality of the shared data. The commissioner may share landings data collected under this subsection with the Bureau of Marine Patrol when necessary for the enforcement of reporting requirements under this section. The commissioner shall adopt rules to carry out the purposes of this section. Rules adopted under this section are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 2. 12 MRSA §6305, sub-§1-A is enacted to read: