

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out all of section 1 and inserting the following:

‘**Sec. 1. 12 MRSA §6134**, as enacted by PL 1995, c. 48, §1, is repealed and the following enacted in its place:

**§ 6134. Alewives passage; fishways on the St. Croix River**

This section governs the passage of alewives on the Woodland Dam and the Grand Falls Dam located on the St. Croix River.

**1. Woodland Dam.** By May 1, 2008, the commissioner and the Commissioner of Inland Fisheries and Wildlife shall ensure that the fishway on the Woodland Dam is configured or operated in a manner that allows the passage of alewives.

**2. Grand Falls Dam.** The commissioner and the Commissioner of Inland Fisheries and Wildlife shall ensure that the fishway on the Grand Falls Dam is configured or operated in a manner that prevents the passage of alewives.

**Sec. 2. Memorandum of agreement.** The Commissioner of Marine Resources, the Commissioner of Inland Fisheries and Wildlife and the Passamaquoddy Tribe shall develop a memorandum of agreement that recognizes their joint management responsibilities within the St. Croix River as they pertain to the coexistence of diadromous species and resident species within the watershed. The memorandum of agreement must contain provisions regarding the passage of alewives over the Grand Falls Dam on the St. Croix River. The parties to the memorandum of agreement shall provide the memorandum of agreement to the joint standing committee of the Legislature having jurisdiction over marine resources matters along with any findings, recommendations and legislation necessary to implement provisions of the memorandum of agreement by January 5, 2012. The joint standing committee of the Legislature having jurisdiction over marine resources matters may submit legislation to the Second Regular Session of the 125th Legislature relating to the memorandum of agreement.’

## SUMMARY

This amendment is a minority report and provides that by May 1, 2008 the Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife shall ensure that only the fishway on the Woodland Dam on the St. Croix River allows the passage of alewives. It also provides that the Commissioner of Marine Resources, the Commissioner of Inland Fisheries and Wildlife and the Passamaquoddy Tribe shall develop a memorandum of agreement that recognizes their joint management responsibilities within the St. Croix River as they pertain to the coexistence of diadromous species and resident species within the watershed. The agreement must contain provisions regarding the passage of alewives over the Grand Falls Dam on the St. Croix River and requires the parties to report back to the joint standing committee of the Legislature having jurisdiction over marine resources matters by January 5, 2012.