

126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 72

H.P. 65

House of Representatives, January 22, 2013

An Act To Open the St. Croix River to River Herring

(EMERGENCY)

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

Millient M. Macfarland MILLICENT M. MacFARLAND Clerk

Presented by Representative SOCTOMAH of the Passamaquoddy Tribe.

Cosponsored by Senator DUTREMBLE of York and

Representatives: AYOTTE of Caswell, BEAR of the Houlton Band of Maliseet Indians, BEAUDOIN of Biddeford, BERRY of Bowdoinham, DOAK of Columbia Falls, MITCHELL of the Penobscot Nation, PARRY of Arundel, Senator: JACKSON of Aroostook.

1 2	Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
3 4	Whereas, river herring were once abundant in the St. Croix watershed and play a vital ecological role in that watershed and the near-shore marine ecosystem; and
5 6 7	Whereas, the decline in the river herring population in the St. Croix watershed affects the ecological and economic health of that watershed and the near-shore marine ecosystem; and
8 9 10	Whereas , 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
11 12 13	Whereas, 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
14 15 16 17	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,
18	Be it enacted by the People of the State of Maine as follows:
19 20	Sec. 1. 12 MRSA §6134, as amended by PL 2011, c. 598, §12, is repealed and the following enacted in its place:
21	§6134. River herring passage; fishways on the St. Croix River
22 23 24	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
25	unconstrained passage of river herring.
25 26 27	
26	unconstrained passage of river herring.Emergency clause. In view of the emergency cited in the preamble, this