



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 748

H.P. 499

House of Representatives, February 28, 2013

An Act Regarding the Passage of River Herring on the St. Croix River

(EMERGENCY)

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MacDONALD of Boothbay.
Cosponsored by Representatives: CHAPMAN of Brooksville, MITCHELL of the Penobscot
Nation, SOCTOMAH of the Passamaquoddy Tribe.

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

3 **Whereas,** the prohibition on allowing river herring to pass upstream from the Grand
4 Falls Dam on the St. Croix River is a significant impediment to the restoration of river
5 herring to historic levels in the St. Croix watershed; and

6 **Whereas,** legislation allowing unimpeded passage of river herring upstream from
7 the Grand Falls Dam on the St. Croix River needs to take effect prior to the river herring's
8 spring spawning run; and

9 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
10 the meaning of the Constitution of Maine and require the following legislation as
11 immediately necessary for the preservation of the public peace, health and safety; now,
12 therefore,

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

14 **Sec. 1. 12 MRSA §6134, sub-§1,** as amended by PL 2011, c. 598, §12, is further
15 amended to read:

16 **1. Woodland Dam and Grand Falls Dam.** By May 1, ~~2008~~ 2013, the
17 commissioner and the Commissioner of Inland Fisheries and Wildlife shall ensure that
18 ~~the fishway~~ fishways on the Woodland Dam ~~is~~ and the Grand Falls Dam are configured
19 or operated in a manner that allows the unlimited passage of river herring.

20 **Sec. 2. 12 MRSA §6134, sub-§2,** as amended by PL 2011, c. 598, §12, is
21 repealed.

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

24 **SUMMARY**

25 This bill requires the Commissioner of Marine Resources and the Commissioner of
26 Inland Fisheries and Wildlife to ensure by May 1, 2013 that fishways on the Woodland
27 Dam and the Grand Falls Dam are configured in a manner that allows the unlimited
28 passage of river herring.