

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
102nd LEGISLATURE

COMMITTEE AMENDMENT "A" to S. P. 428, L. D. 1375, Bill, "An Act Clarifying the Inland Fisheries and Game Laws."

Amend said Bill by inserting after section 1-A the following new sections:

"Sec. 1-B. R. S., T. 12, §1960, amended. The 3rd paragraph of section 1960 of Title 12 of the Revised Statutes is repealed and the following enacted in place thereof:

'Hearings shall be held on all prospective changes in regulations during the months of February, July and September of each year, before the commissioner, or such other officer of the department as the commissioner may designate in his stead, at a date and place to be designated by the commissioner but in the county affected. Petitions shall be filed in the office of the commissioner as follows: Not later than January 1st for hearing in February; not later than June 1st for hearing in July; and not later than August 1st for hearing in September.'

Sec. 1-C. R. S., T. 12, §1960, amended. The last sentence of the 5th paragraph of section 1960 of Title 12 of the Revised Statutes is amended to read as follows:

'Such regulations shall become effective ~~on January 1st of the year next following~~ 30 days after the date of the hearing.'

Further amend said Bill by striking out all of section 4 and inserting in place thereof the following:

"Sec. 4. R. S., T. 12, §2053, amended. The first sentence of the 4th paragraph of section 2053 of Title 12 of the Revised Statutes is amended to read as follows:

'A fee of ~~\$8.50~~ \$10 shall be paid annually for a resident guide's license.'

Further amend said Bill by striking out all of section 6.

Further amend said Bill by inserting after section 9 the following new section:

"Sec. 9-A. R. S., T. 12, §2204, amended. Section 2204 of Title 12 of the Revised Statutes is amended to read as follows:  
'§2204. Tampering with, injuring, or destroying dams

Whoever without authority from the commissioner tampers with any dam owned or operated by the department, including dams in a fish hatchery or rearing station, opens or closes gates or sluiceways, adds or removes flashboards, or otherwise damages

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or destroys such dams, shall be punished by a fine of not more than \$100."

Further amend said Bill by striking out all of the 6th, 7th and 8th lines of section 15 and inserting in place thereof the following:

'securely attached thereto ~~a-tag~~ the deer tag portion of the hunting license bearing the name and address of the person who killed said deer and said deer shall be accompanied by him while being moved or trans-'

Further amend said Bill by striking out in the 4th line of section 20 the underlined word "power" and inserting in place thereof the underlined word 'motor'

Further amend said Bill by inserting after section 21 the following new section:

"Sec. 21-A. R. S., T. 12, §2551, amended. Section 2551 of Title 12 of the Revised Statutes is amended to read as follows:

'§2551. Closing certain areas to fishing

No person shall fish within 150 feet of any dam in which a fishway is located. Except at Upper Dam in Richardsontown (T4 R1) at the outlet of Mooselookmeguntic Lake in Oxford County, at Middle Dam in T C at the outlet of Lower Richardson Lake in Oxford County and at East Outlet Dam in Sapling (T1 R7) in Somerset County and in Big Squaw Mountain in Piscataquis County at the outlet of Moosehead Lake, the fishway and the area within 50 feet of any part of these fishways shall be closed to fishing at all times and except at Woodland Dam and Grand Falls Powerhouse Dam on the St. Croix River in the Town of Baileyville, the area within 100 feet of the mouth of the fishway shall be closed to fishing at all times. This section shall not include the taking of alewives and smelts in the manner provided under the laws regulating sea and shore fisheries.

~~All-peels-of-state-fish-hatcheries-and-rearing-stations-and all-waters-within-200-feet-of-such-hatchery-and-rearing-station peels-shall-be-closed-to-all-fishing.~~

It shall be unlawful for any person to take, catch, kill, molest, destroy or possess or attempt to take, catch, kill, molest, destroy or possess any fish in or from any fish hatchery or rearing station. All waters within 200 feet of any state hatchery or rearing station shall be closed to all fishing.'

Further amend said Bill in the 5th line of section 22 by inserting after the underlined word "tails" the underlined punctuation and words ', or either,'

Further amend said Bill by inserting after section 24-A the following new section:

"Sec. 24-B. R. S., T. 12, §2558, amended. The last paragraph of section 2558 of Title 12 of the Revised Statutes is repealed and the following enacted in place thereof:

'It shall be unlawful to import into this State any live fish, including smelts, which are commonly used for bait fishing in inland waters.'"

Further amend said Bill by striking out all of section 30 and inserting in place thereof the following:

"Sec. 30. R. S., T. 12, §2751-A, additional. Title 12 of the Revised Statutes is amended by adding a new section 2751-A to read as follows:

'§2751-A. Importing fish

No person shall introduce or import any live fresh-water fish or eggs into the State or receive or have in possession such fish or eggs, so introduced or imported, without written permission of the commissioner. This shall not apply to tropical fish which are for aquarium purposes.

The commissioner may grant permits and establish rules and regulations to import live fresh-water fish or eggs into the State. Importers shall, when requesting a permit, provide the commissioner with information as to the number and species to be imported, the name and address of the source and a statement from a recognized fish pathologist, either of a state conservation department or the United States Fish and Wildlife Service certifying that they are from hatcheries which show no evidence of whirling disease (Myxosoma cerebralis), infectious pancreatic necrosis, furunculosis or any other infectious or contagious disease. Such statement shall accompany each request for permission to import live fish or eggs.

A violation of this section shall be punishable by a fine of not less than \$100."

Further amend said Bill by renumbering sections of the Bill to read consecutively.

Reported by the Committee on INLAND FISH & GAME

Reproduced and distributed pursuant to Senate Rule 11A

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