MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 217

H.P. 168

House of Representatives, January 18, 2005

Resolve, Directing the Department of Inland Fisheries and Wildlife To Review and Simplify Rules Governing Brook Trout Fishing

(EMERGENCY)

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

Millient M. MacFarland MILLICENT M. MacFARLAND Clerk

Presented by Representative WATSON of Bath.
Cosponsored by Senator BRYANT of Oxford and
Representatives: MOODY of Manchester, TRAHAN of Waldoboro, WHEELER of Kittery.

Emergency preamble. Whereas, acts and resolves of the 2 Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and 4 Whereas, this resolve requires that the Department of Inland 6 Fisheries and Wildlife propose rules by July 1, 2005; Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of 10 Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and 12 safety; now, therefore, be it Sec. 1. Department review: development of recommendations. 14 Resolved: That the Department of Inland Fisheries and Wildlife 16 shall review the rules adopted to implement the laws governing brook trout fishing and trout management. Specifically, 18 department shall: 20 Evaluate the effectiveness of the 4 categories of brook trout fishing rules in achieving the goals in the 22 management plan; 24 2. Examine all of the special brook trout fishing rules on bodies of water and evaluate whether they are necessary to achieve the goals in the trout management plan; 26 Develop recommendations for any necessary changes in the 28 4 categories of brook trout fishing rules; and 30 Develop recommendations to repeal any special brook 32 trout fishing rules that are not necessary to achieve the trout management plan goals; and be it further 34 Sec. 2. Rulemaking. Resolved: That no later than July 1, 2005, based on the review and development of recommendations 36 pursuant to section 1, the Department of Inland Fisheries and Wildlife shall propose rules to implement any necessary changes 38 to the rules implementing the laws governing brook trout fishing and trout management. Rules adopted pursuant to this resolve are 40 major substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. 42 In view of the emergency cited in the Emergency clause. 44 preamble, this resolve takes effect when approved. 46 **SUMMARY**

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Wildlife to evaluate the department's rules implementing the laws

This resolve directs the Department of Inland Fisheries and

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governing brook trout fishing and trout management and to develop any necessary recommendations to change the rules.