

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1253

S.P. 433

In Senate, March 15, 2005

**Resolve, Directing the Department of Inland Fisheries and Wildlife
To Adopt and Follow a Rules Policy Regarding Inland Fishing**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator DAVIS of Piscataquis.
Cosponsored by Representative ANNIS of Dover-Foxcroft and
Senator: WOODCOCK of Franklin, Representatives: FLETCHER of Winslow,
RICHARDSON of Greenville.

Sec. 1. Rules policy for Department of Inland Fisheries and Wildlife rules governing inland fishing. Resolved:

That the Department of Inland Fisheries and Wildlife and the Inland Fisheries and Wildlife Advisory Council shall use the rules policy set forth in this section when proposing and adopting rules governing inland fishing. When it is necessary to give a fish population extra protection, bag-limit or length-limit restrictions must be the first method employed to protect that fish population. Except in extraordinary cases, those restrictions must apply equally to open-water fishing and ice fishing. When the desired objective cannot be achieved through bag or length restrictions, gear restrictions must be the next method employed. The method employed last must be restrictions of opportunity by shortening the fishing seasons. In cases in which the Department of Inland Fisheries and Wildlife proposes a fishing rule that does not follow this rules policy, a statement must be included with the proposed rule explaining and justifying the decision not to follow the rules policy.

SUMMARY

This resolve directs the Department of Inland Fisheries and Wildlife and the Inland Fisheries and Wildlife Advisory Council to adopt and follow a rules policy regarding inland fishing. This rules policy states that when it is necessary to give a fish population extra protection, bag-limit or length-limit restrictions must be the first method employed to protect that fish population. Except in extraordinary cases, those restrictions apply equally to open-water fishing and ice fishing. When the desired objective cannot be achieved through bag or length restrictions, gear restrictions must be the next method employed. The method employed last must be restrictions of opportunity by shortening the seasons. In cases in which the department proposes a fishing rule that does not follow this rules policy, a statement must be included with the proposed rule explaining and justifying the decision not to follow the rules policy.