

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 926

S.P. 348

In Senate, March 10, 2009

**An Act To Allow Smelt Fishing in Metallak Brook, Upper
Richardson Lake**

(EMERGENCY)

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 BRYANT of Oxford.
Cosponsored by Representative BRIGGS of Mexico and
Representatives: GILBERT of Jay, PETERSON of Rumford.

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 smelting season is now open; and

4 **Whereas,** to allow people to fish for smelt on Metallak Brook during this season this
5 legislation needs to take effect immediately; and

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

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

11 **Sec. 1. 12 MRSA §12460-B** is enacted to read:

12 **§12460-B. Smelt fishing in Metallak Brook in Oxford County**

13 Notwithstanding section 12456, a person may fish for smelt by use of a dip net in
14 Metallak Brook, a tributary of Upper Richardson Lake, within Township 4, Range 1,
15 WBKP, Oxford County. A person may not:

16 **1. Exceed daily bag limit.** Exceed the daily bag limit of 2 quarts per person. A
17 person who violates this subsection commits a Class E crime; or

18 **2. Harvest for commercial purposes.** Harvest smelt for commercial purposes. A
19 person who violates this subsection commits a Class D crime for which a fine of not less
20 than \$1,000 may be adjudged.

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

23 **SUMMARY**

24 This bill allows smelting on Metallak Brook, a tributary of Upper Richardson Lake in
25 Oxford County.