

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 100

H.P. 82

House of Representatives, January 24, 2013

An Act To Allow Municipalities To Stock Ponds

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative WOOD of Sabattus.
Cosponsored by Senator MASON of Androscoggin and
Representatives: CRAFTS of Lisbon, LAJOIE of Lewiston, SHAW of Standish, WERTS of
Auburn.

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

2 **Sec. 1. 12 MRSA §12758-B** is enacted to read:

3 **§12758-B. Fish stocking by a municipality**

4 This section governs the stocking of ponds with fish by municipalities.

5 **1. Authority to stock fish.** A municipality may stock a pond with fish as long as the
6 pond is located entirely within the municipality and the municipality:

7 A. Purchases the fish to be used for stocking from the department or a hatchery
8 approved by the department;

9 B. Pays all costs incurred by the department for activities related to stocking by the
10 municipality; and

11 C. Provides to the public, residents and nonresidents, year-round watercraft access to
12 the pond.

13 **2. Regulation of stocked ponds by a municipality.** This section may not be
14 construed to authorize a municipality to regulate fishing activities on a pond stocked by
15 that municipality.

16 **SUMMARY**

17 This bill authorizes a municipality to stock a pond with fish when the pond is located
18 entirely within the municipality's boundaries, the municipality purchases the fish to be
19 stocked from the Department of Inland Fisheries and Wildlife and the municipality
20 provides the public with boat access to the pond being stocked by the municipality. It
21 also requires the municipality to pay any costs incurred by the Department of Inland
22 Fisheries and Wildlife associated with the municipality's stocking activity.