

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

SECOND REGULAR SESSION-2014

Legislative Document

No. 1671

S.P. 646

In Senate, January 8, 2014

**An Act To Prohibit Motorized Recreational Gold Prospecting in
Certain Atlantic Salmon and Brook Trout Spawning Habitats**

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BOYLE of Cumberland.
Cosponsored by Representative McCABE of Skowhegan and
Senators: MAZUREK of Knox, PATRICK of Oxford, SAVIELLO of Franklin,
Representatives: FARNSWORTH of Portland, GATTINE of Westbrook, ROCHELO of
Biddeford, SANBORN of Gorham, THERIAULT of Madawaska.

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,** motorized recreational gold prospecting may occur without a permit,
4 subject to certain conditions; and

5 **Whereas,** motorized recreational gold prospecting may negatively affect habitats for
6 aquatic life, including habitats where brook trout and Atlantic salmon spawn; and

7 **Whereas,** in order to provide additional protection to certain sensitive stream
8 segments that provide important habitats to brook trout and Atlantic salmon before the
9 next motorized recreational gold prospecting season, after winter ends, this legislation
10 must take effect as soon as possible; and

11 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
12 the meaning of the Constitution of Maine and require the following legislation as
13 immediately necessary for the preservation of the public peace, health and safety; now,
14 therefore,

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

16 **Sec. 1. 38 MRSA §480-Q, sub-§5-A, ¶H** is enacted to read:

17 H. Motorized recreational gold prospecting is prohibited in the following waters:

18 (1) Bemis Stream in Township D and Rangeley Plantation;

19 (2) Bond Brook in the City of Augusta and the Town of Manchester;

20 (3) Bull Branch of Sunday River in Riley Township and Grafton Township;

21 (4) Carrabassett River tributaries in the Town of Carrabassett Valley;

22 (5) Cold Stream tributaries in West Forks Plantation and Johnson Mountain
23 Township;

24 (6) Dead River in Lower Enchanted Township;

25 (7) Dead River tributaries upstream of Flagstaff Lake, including the North
26 Branch and the South Branch, in Chain of Ponds Township, Tim Pond Township,
27 Jim Pond Township, Alder Stream Township and the Town of Eustis;

28 (8) Enchanted Stream in Upper Enchanted Township and Lower Enchanted
29 Township;

30 (9) Kennebec River and its tributaries above Wyman Lake in Bowtown
31 Township, Pierce Pond Township, Carrying Place Township, The Forks
32 Plantation and the Town of Caratunk;

33 (10) Magalloway River and its tributaries, including Little Magalloway River, in
34 Bowmantown Township, Parmachenee Township, Oxbow Township, Lynchtown
35 Township, Parkertown Township, Lincoln Plantation and Magalloway
36 Plantation;

