

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1993

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

income policy; a single premium nonrenewable policy; or a policy identified in section 5001-A, subsection 2.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective May 25, 1993.

CHAPTER 155

H.P. 567 - L.D. 772

An Act to Provide for an Open Season on Most Inland Fisheries in the State

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

Sec. 1. 12 MRSA §7552, first ¶, as enacted by PL 1979, c. 420, §1, is amended to read:

Except as provided in subsection 5, ~~5-A~~ and except as the commissioner may by rule provide, the following ~~shall be~~ are the open seasons for fishing in the State. All opening and closing dates are inclusive.

Sec. 2. 12 MRSA §7552, sub-§5, as amended by PL 1991, c. 443, §§28 and 29, is repealed.

Sec. 3. 12 MRSA §7552, sub-§5-A is enacted to read:

5-A. Exceptions. Notwithstanding subsections 1 to 4:

A. A person may take smelts at any time by the use of a dipnet in the usual and ordinary way in inland waters or portions of inland waters that are naturally free of ice, and where the taking of smelts is not prohibited by rules of the commissioner;

B. There is a continued closed season on the dipping of smelts from Morrill Pond and its tributaries in Somerset County;

C. Whenever the last day of open-water fishing season falls on a Saturday, the commissioner shall issue a rule extending the season one day to include the following Sunday; and

D. The commissioner by rule shall extend the open-water fishing season through the month of November in lakes and ponds that are managed primarily for warm water sport fish in the following counties: Androscoggin, Cumberland, Hancock, Kennebec, Knox, Lincoln, Sagadahoc, Waldo, Washington and York. Rules adopted un-

der this paragraph may include provisions that establish catch-and-release-only restrictions on salmon, trout, togue and bass.

Sec. 4. Adoption of rules. The Commissioner of Inland Fisheries and Wildlife shall adopt rules pursuant to the Maine Revised Statutes, Title 12, section 7552, subsection 5-A, paragraph D prior to the 1994 open-water fishing season and shall list these rules in the 1994-1995 and subsequent biennial revisions of "Open Water Fishing Regulations."

See title page for effective date.

CHAPTER 156

S.P. 260 - L.D. 798

An Act Regarding the Baiting of Animals

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

Sec. 1. 12 MRSA §7458, sub-§9, as enacted by PL 1979, c. 420, §1, is repealed and the following enacted in its place:

9. Illegally baiting deer. A person is guilty of illegally baiting deer if, during any open hunting season on deer, that person:

A. Places salt or any other bait or food in a place to entice deer to that place; or

B. Hunts from an observation stand or blind overlooking salt, grain, fruit, nuts or other foods known to be attractive to deer.

Sec. 2. 12 MRSA §7458, sub-§15, ¶H is enacted to read:

H. Subsection 9, paragraph B does not apply to hunting from an observation stand or blind overlooking:

(1) Standing crops;

(2) Foods that have been left as a result of normal agricultural operations or as a result of natural occurrence; or

(3) Bear bait that has been placed at a bear hunting stand or blind in accordance with section 7451, subsection 3.

See title page for effective date.