

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 737

H.P. 530

House of Representatives, January 26, 1999

### **An Act to Extend the Open Water Fishing Season.**

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative DUNLAP of Old Town.

Cosponsored by Representatives: BRYANT of Dixfield, O'NEIL of Saco, STANLEY of Medway, TRUE of Fryeburg, WILLIAMS of Orono, Senator: KILKELLY of Lincoln.

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

2           **Sec. 1. 12 MRSA §7552, first ¶**, as amended by PL 1995, c. 406,  
4 §8, is further amended to read:

6           Except as provided in subsection 5-A and Part 12 ~~and except~~  
7 ~~as the commissioner may by rule provide, the following are the~~  
8 ~~open seasons for fishing in the State. All opening and closing~~  
9 ~~dates are inclusive, the open season for all fish in lakes,~~  
10 ~~ponds, rivers above tidewater, brooks and streams is the period~~  
11 ~~each year when those waters are naturally free of ice.~~

12           **Sec. 2. 12 MRSA §7552, sub-§§1 to 3**, as enacted by PL 1979, c.  
14 420, §1, are repealed.

16           **Sec. 3. 12 MRSA §7552, sub-§5-A**, as amended by PL 1995, c.  
18 406, §9, is further amended to read:

19           **5-A. Exceptions.** Notwithstanding subsections ~~1~~ to  
20 subsection 4:

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

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

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

36           D. ~~The commissioner by rule shall extend the open water~~  
37 ~~fishing season through the month of November in lakes and~~  
38 ~~ponds that are managed primarily for warm water sport fish~~  
39 ~~in the following counties: Androscoggin, Cumberland,~~  
40 ~~Hancock, Kennebec, Knox, Lincoln, Sagadahoc, Walde,~~  
41 ~~Washington and York. Rules adopted under this paragraph~~  
42 ~~may include provisions that establish catch and release only~~  
43 ~~restrictions on landlocked salmon, trout, togue and bass.~~

44           E. Between October 1st and April 1st, salmonids may be  
45 caught only by artificial lures and flies using barbless  
46 hooks and must be released immediately after being caught.

## SUMMARY

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4       This bill opens up all the State's waters to open water  
6 fishing at all times that the waters are naturally free from  
8 ice. The bill requires salmonids to be caught with artificial  
lures and flies between October 1st and April 1st. It further  
requires that the salmonids be released immediately after being  
caught.