

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 1204

S.P. 415

In Senate, February 11, 1999

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### An Act to Amend the Fishing Laws.

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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 "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator KILKELLY of Lincoln.  
Cosponsored by Representative DUNLAP of Old Town and  
Representatives: BERRY of Livermore, BRYANT of Dixfield, CAMERON of Rumford,  
COTE of Lewiston, RINES of Wiscasset, TRACY of Rome.

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

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4       **Sec. 1. 12 MRSA §7001, sub-§11**, as enacted by PL 1979, c. 420,  
§1, is amended to read:

6       **11. Fly.** "Fly" means a single pointed hook dressed with  
feathers, hair, thread, tinsel, or any similar material to which  
8 no additional weights, hook, spinner, spoon or similar device is  
added.

10       **Sec. 2. 12 MRSA §7001, sub-§12**, as amended by PL 1985, c. 369,  
12 §1, is further amended to read:

14       **12. Fly fishing.** "Fly fishing" means casting upon water  
and retrieving in ~~the usual and ordinary~~ a manner not in which  
16 the weight of the line casts the fly. No more than 3 unbaited  
artificial flies individually attached to a line ~~to which no~~  
18 ~~extra-weight has been added~~ may be used.

20       **Sec. 3. 12 MRSA §7001, sub-§33-D**, as enacted by PL 1991, c.  
443, §4, is amended to read:

22       ~~33-D. Single-baited hook.~~ "Single-baited hook" means ~~up to~~  
24 ~~3 hooks attached together or in tandem to the end of a line and~~  
baited as a single baited apparatus designed to catch only one  
26 fish at a time.

28       **Sec. 4. 12 MRSA §7001, sub-§38-A**, as enacted by PL 1991, c.  
443, §4, is amended to read:

30       **38-A. Troll.** "Troll" means to fish by trailing a line  
32 rigged to catch fish ~~through or over the water~~ behind a  
watercraft being propelled by mechanical, ~~wind or manual~~ power.

34       **Sec. 5. 12 MRSA §7101, sub-§5, ¶H-1**, as amended by PL 1995, c.  
36 667, Pt. A, §18, is further amended to read:

38       H-1. Nonresident 3-day  
small game hunting license,  
40 valid for 3 consecutive  
hunting days (Permits  
42 hunting of all legal  
species except deer,  
44 bear, turkey, moose,  
raccoon and bobcat)  
46 (Valid for the 72-hour  
period specified on the  
48 license)

0       0       \$30       \$30

50       **Sec. 6. 12 MRSA §7151, sub-§5, ¶¶E and J**, as repealed and  
replaced by PL 1993, c. 419, §13, are amended to read:

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E. Three-day fishing license  
(Resident or nonresident)  
(Valid for the 72-hour  
period specified on the  
license)                    \$17    \$19    \$20    \$21

J. One-day fishing license  
(Resident or nonresident)  
(Valid for the date 24-hour  
period indicated on  
license)                    \$5    \$7    \$8    \$9

Sec. 7. 12 MRSA §7608, as amended by PL 1997, c. 432, §49, is further amended to read:

**§7608. Fishing with illegal implements or devices**

A person is guilty of fishing with illegal implements or devices if that person uses any fish-spawn, grapnel, spear, spear gun, trawl, weir, gaff, seine, gill net, trap or set lines for fishing ~~or if that person uses any electronic or battery-powered devices for luring or attracting fish~~, except that a person may take suckers, eels, alewives and yellow perch in accordance with section 7153 and except as otherwise provided.

Sec. 8. 12 MRSA §7609, as enacted by PL 1979, c. 420, §1, is amended to read:

**§7609. Possession of illegal implements and devices**

A person is guilty of possession of illegal implements and devices if he that person possesses any grapnel, trawl, weir, seine, gill net or trap or set line ~~in any ledge or place of resort for hunters or fishermen or in its immediate vicinity, or on or adjacent to~~ any of the inland waters of the State, ~~or in their immediate vicinity, in the inland territory of the State,~~ except that a person may possess these prohibited implements and devices in accordance with sections 7153, 7241 and 7771.

Sec. 9. 12 MRSA §7610, as enacted by PL 1979, c. 420, §1, is repealed.

**SUMMARY**

This bill includes the fishing recommendations of the Rules Commission of the Sportsman's Alliance of Maine.

2           The bill redefines the terms "single-baited hook," "fly" and  
"fly fishing." It also clarifies that the prohibition on  
4 trolling applies only to persons fishing from mechanically  
powered boats, clarifies that one-day and 3-day fishing licenses  
6 are valid for the hours specified on the license, amends the laws  
regarding fishing with illegal implements and repeals the laws  
8 pertaining to the illegal use of helicopters.