

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 1998 to June 19, 1999**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 18, 1999**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1999**

~~Hancock, Kennebec, Knox, Lincoln, Sagadahoc, Waldo, Washington and York~~ as long as such an extension does not pose a threat to the fishery. Rules adopted under this paragraph may include provisions that establish catch-and-release-only restrictions on landlocked salmon, trout, togue and bass.

**Sec. 2. Report.** The Commissioner of Inland Fisheries and Wildlife shall report to the Joint Standing Committee on Inland Fisheries and Wildlife on any rule-making activities undertaken or anticipated pursuant to the Maine Revised Statutes, Title 12, section 7552, subsection 5-A, paragraph D. The report may be made orally or by letter, but must be made no later than February 15, 2000.

See title page for effective date.

## CHAPTER 320

### H.P. 554 - L.D. 775

#### An Act to Revise Hunting and Fishing License Revocation Laws

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

**Sec. 1. 12 MRSA §7077, sub-§1-A, ¶E,** as enacted by PL 1993, c. 136, §1, is repealed.

**Sec. 2. 12 MRSA §7077, sub-§1-B, ¶¶E and F,** as enacted by PL 1993, c. 136, §1, are amended to read:

E. Buying or selling freshwater sport fish, in violation of section 7615; and

F. Taking fish by explosive, poisonous or stupefying substances, in violation of section 7617; and.

**Sec. 3. 12 MRSA §7077, sub-§1-B, ¶G,** as enacted by PL 1993, c. 136, §1, is repealed.

See title page for effective date.

## CHAPTER 321

### S.P. 415 - L.D. 1204

#### An Act to Amend the Fishing Laws

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

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

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

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

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

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

**33-D. Single-baited hook.** "Single-baited hook" means ~~up to 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 fish at a time.~~

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

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

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

H-1. Nonresident 3-day small game hunting license, valid for 3 consecutive hunting days (Permits hunting of all legal species except deer, bear, turkey, moose, raccoon and bobcat) <u>(Valid for the 72-hour period specified on the license)</u>	0	0	\$30	\$30
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**Sec. 6. 12 MRSA §7151, sub-§5, ¶¶E and J,** as repealed and replaced by PL 1993, c. 419, §13, are amended to read:

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

the ~~date~~ 24-hour period \$5 \$7 \$8 \$9 indicated on license)

**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 lodge 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.

See title page for effective date.

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**CHAPTER 322**

**S.P. 182 - L.D. 536**

**An Act to Improve Wild Game  
Transportation Laws**

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

**Sec. 1. 12 MRSA §7452, sub-§12**, as enacted by PL 1979, c. 543, §40, is amended to read:

**12. Illegal possession of a gift bear.** A person is guilty, except as provided in ~~subsection 15, paragraph D~~ section 7531, and notwithstanding the provisions of subsection 13, of illegal possession of a gift bear if ~~he that person~~ possesses any part or parts of a bear given to ~~him that person~~ and:

A. Each part is not plainly labeled with the name and address of the person who registered the bear;

B. Each part is not plainly labeled with the name and address of the person to whom it was given; or

C. Each part is not plainly labeled with the name and address of the party transporting the part or parts, if a 3rd party transports a part or parts.

**Sec. 2. 12 MRSA §7452, sub-§13**, as amended by PL 1995, c. 455, §28, is further amended to read:

**13. Illegally transporting bear.** A person is guilty, except as otherwise provided in chapters 701 to 721 and except as provided in ~~subsection 15, paragraph E~~ section 7531, of illegally transporting bear if, at any time and in any manner, that person moves or transports any bear, and:

A. The bear is not open to view;

B. A bear tag that conforms to the requirements of section 7451, subsection 4 is not securely attached to the bear; or

C. The person who killed the bear does not accompany the bear while it is being moved or transported.

**Sec. 3. 12 MRSA §7452, sub-§14**, as enacted by PL 1979, c. 543, §40, is amended to read:

**14. Transporting bear out-of-state.** A person is guilty, except as provided in ~~subsection 15, paragraphs F and G~~ section 7531, of transporting bear out of this State if ~~he that person~~ transports or attempts to transport any bear beyond the limits of this State.

**Sec. 4. 12 MRSA §7452, sub-§15, ¶D**, as enacted by PL 1979, c. 543, §40, is repealed.

**Sec. 5. 12 MRSA §7452, sub-§15, ¶D-1**, as enacted by PL 1989, c. 493, §34, is amended to read:

D-1. Notwithstanding subsection 13, paragraph A, that provision does not apply to bear legally registered in accordance with this subchapter; and

**Sec. 6. 12 MRSA §7452, sub-§15, ¶E**, as amended by PL 1981, c. 644, §21, is repealed.

**Sec. 7. 12 MRSA §7452, sub-§15, ¶F**, as amended by PL 1981, c. 644, §22, is repealed.

**Sec. 8. 12 MRSA §7458, sub-§11**, as amended by PL 1995, c. 455, §33, is further amended to read:

**11. Illegally transporting deer.** A person is guilty, except as otherwise provided in chapters 701 to 721 and except as provided in subsection 15, para-