

§12503. Permitted fishing without license

1. Resident and nonresident under 16. A resident and nonresident under 16 years of age may fish without a license.

[PL 2013, c. 380, §4 (AMD); PL 2013, c. 380, §5 (AFF).]

2. Land used for agricultural purposes; domicile. Notwithstanding section 12501, subsection 1 and subject to all other applicable laws and rules, any resident and any member of the resident's immediate family, as long as the angler's license to fish is not under suspension or revocation, may fish without a license in open inland waters from land:

A. To which they are legally entitled to possession; [PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

B. On which they are actually domiciled; and [PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

C. That is used exclusively for agricultural purposes. [PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

[PL 2023, c. 405, Pt. A, §31 (AMD).]

3. Free fishing days; limitations. The following 2 free fishing periods are established. No more than 2 free fishing periods may be established under this subsection.

A. Except when Memorial Day falls on a Friday, the Saturday and the Sunday immediately following Memorial Day are designated "Family Fishing Days." If Memorial Day falls on a Friday, the Saturday and the Sunday subsequent to Memorial Day weekend are designated "Family Fishing Days." The days designated "Family Fishing Days" are free fishing days. [PL 2003, c. 662, §2 (NEW).]

B. The Saturday and the Sunday immediately preceding Presidents' Day are free fishing days. [PL 2003, c. 662, §2 (NEW).]

Notwithstanding section 12501, it is lawful during a free fishing day established under this subsection for a person to fish without a license in inland waters, except that this subsection does not apply to a person whose license to fish is under suspension or revocation. All other provisions of this Part relating to fishing apply during a free fishing day.

[RR 2003, c. 2, §21 (COR).]

4. Groups of students. The commissioner may permit student or youth groups to fish without licenses for periods of not more than 3 days as long as the fishing activity is conducted as part of an educational program and is under the direct supervision of a teacher or instructor.

A. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §249 (RP); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. A permit holder:

(1) May not allow fishing to go on for more than 3 days;

(2) May not allow any fishing activity that is not conducted as part of an educational program; and

(3) Shall provide direct supervision. [PL 2003, c. 655, Pt. B, §249 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

C. The following penalties apply to violations of this subsection.

(1) A permit holder who violates paragraph B commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

(2) A person who violates paragraph B after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

Each day a person violates paragraph B is a separate offense. [PL 2003, c. 655, Pt. B, §249 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]
[PL 2011, c. 533, §5 (AMD).]

5. Patients at Veterans Administration Hospital. The commissioner may permit inpatients at the Veterans Administration Hospital at Togus to fish without a license in the inland waters within a 25-mile radius of Togus. Patients not under the direct supervision of hospital staff or volunteer supervisors shall have in their possession while fishing a valid pass issued by the Veterans Administration Hospital.

A. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §249 (RP); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. An inpatient at the Veterans Administration Hospital at Togus permitted under this subsection:

(1) May not fish beyond a 25-mile radius of Togus; and

(2) Shall have supervision while fishing or have in that inpatient's possession a valid pass issued by the hospital. [PL 2003, c. 655, Pt. B, §249 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

C. The following penalties apply to violations of this subsection.

(1) A person who violates paragraph B commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

(2) A person who violates paragraph B after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

Each day a person violates paragraph B is a separate offense. [PL 2003, c. 655, Pt. B, §249 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]
[PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §249 (AMD); PL 2003, c. 655, Pt. B, §422 (AFF).]

6. Fishing during event sanctioned by department. A person who does not hold a fishing license may assist a child or a person who is disabled who is a participant in a fishing event sanctioned by the department.

[PL 2021, c. 348, §16 (AMD).]

SECTION HISTORY

RR 2003, c. 2, §21 (COR). PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §B249 (AMD). PL 2003, c. 655, §B422 (AFF). PL 2003, c. 662, §2 (AMD). PL 2011, c. 533, §5 (AMD). PL 2013, c. 380, §4 (AMD). PL 2013, c. 380, §5 (AFF). PL 2015, c. 301, §35 (AMD). PL 2021, c. 348, §16 (AMD). RR 2021, c. 2, Pt. A, §23 (COR). PL 2023, c. 405, Pt. A, §31 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024. The text is

subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.