

**REPEAL SECTIONS 2.06 AND 2.07**

**AMEND CHAPTER 2 SECTIONS 2.04 AND 2.05 AS FOLLOWS:**

**09-137 DEPARTMENT OF INLAND FISHERIES AND WILDLIFE**

**Chapter 2: RULES PERTAINING TO COMMERCIAL FISHING, FISH CULTURE AND FISHING DERBIES AND TOURNAMENTS**

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**2.04 Rules Pertaining to Fishing Derbies**

**A. Scope of Rules**

These rules shall be applicable only to fishing derbies as authorized by Title 12, M.R.S.A., Sections 12504 & 12504-A.

**B. Applications**

1. An application for a permit to conduct a fishing derby shall be on such forms as the department requires. The following information is required:
  - a. Name and address of the sponsor
  - b. Rules of the derby
  - c. Body(s) of water affected
  - d. Date(s) and time(s) of the derby
  - e. Prize structure
2. *(Repealed. This fee has been established by the Legislature, P.L. 1991, c.443)*
3. Applications for open water fishing derbies will be accepted after January 1 annually.
4. Applications for ice fishing derbies will be accepted after September 1 annually.
5. Applications for fishing derbies will be processed in order of receipt.

**C. Restrictions**

1. No fishing derbies will be permitted on any single body of water having a surface area of less than 100 acres and managed by the department for cold water fish species (trout, salmon and/or togue) or if the issuance of a permit would be inconsistent with the fisheries management objectives of the waters being affected.
2. Open water fishing derbies are not allowed to be held between April 1 – June 15, except where fishing derbies are consistent with the fisheries management objectives of the Department of Inland Fisheries and Wildlife.
3. No more than 4 derbies will be permitted on any single body of water in any calendar year. County-wide or state-wide derbies shall not be counted as a derby on any one body of water.
4. The total cash value of prizes to be awarded at any single fishing derby (excluding door prizes) shall not exceed \$10,000, except:

- a. when the derby is of a regional or statewide nature, involves more than a single body of water, or only involves waters not managed by the department for cold water fish species (trout, salmon and/or togue), in which case the total cash value of prizes to be awarded (excluding door prizes) shall not exceed \$25,000.

5. No derby shall occur at a public access facility in a manner that obstructs any avenue of ingress or egress of the launching area.

6. The Commissioner has the authority to put any condition necessary on any derby to assure that appropriate measures are taken to protect biological resources and address social concerns.

#### D. Requirements

1. Except as otherwise provided by law, all anglers in the derby must comply with the licensing requirements of Title 12, M.R.S.A., Sections 10751 to 10759.

2. A copy of the derby permit and a copy of the sponsor's rules affecting the derby shall be conspicuously displayed during each derby at a location accessible to all derby contestants.

3. Watercraft participating in an open water derby must be inspected for invasive aquatic plants prior to launching and for a second time after the watercraft is retrieved from the water. Inspections may be performed by the watercraft operator, a passenger, or an available courtesy boat inspector.

### 2.05 Regulations Pertaining to Bass Fishing Tournaments

#### A. Scope

These rules shall be applicable to bass fishing tournaments as authorized by Title 12, M.R.S.A., Section 12505.

#### B. Definition of a Bass Club

For purposes of determining eligibility to apply for a permit to conduct a one-day bass tournament, a "bass club" is defined as any organized group of five or more individual bass anglers which is able to satisfy one of the following criteria.,

1. Provide current documentation of being a member club in Bass Anglers Sportsmen Society (BASS), Northeast Bass Association (NEBA) or other a nationally recognized bass fishing organization; or
2. Provide a current listing of club officers and members along with a signed affidavit affirming that the group club (consisting of at least 5 members), although not affiliated with any nationally recognized bass fishing organization, is a bona-fide independent fishing club. The affidavit must include a list of all members with contact information and must indicate those members who have participated in an approved aquatic plant and livewell inspection training program within the last five years.

NOTE: It is a Class E crime to obtain a permit through fraud, misstatement, or misrepresentation - Title 12 M.R.S.A., Section 10757.

C. **Requirements (General)**

1. Any bass club which sponsors a one-day bass tournament must submit a completed bass tournament questionnaire, when requested to do so by an agent of the Commissioner, provided that such request must be made in writing to the sponsoring club prior to the day of the tournament.
- ~~2. All anglers in the tournament must possess a valid Maine fishing license unless of an age where a license is not required.~~
2. Each tournament requires at least two aquatic plant and live-well inspectors, who have participated in an aquatic plant and livewell inspection training program within the last five years, to conduct weed and live-well inspections. Each watercraft will first be inspected immediately before a tournament participant launches prior to the tournament and for a second time after retrieval from the water immediately after the conclusion of the tournament for that participant. For watercraft that pre-fish prior to a permitted event, or continue to fish following the permitted event, an aquatic plant inspection must be completed by the operator, a passenger, or an available courtesy boat inspector.
- ~~3. Bass tournament boats must be specifically identified in a plainly visible manner and a roster of participants must be available at the location of the weigh in.~~
3. All anglers in the tournament must possess a valid Maine fishing license unless of an age where a license is not required.
- ~~4. Only one permit will be issued on a waterbody for a specific date.~~
4. Bass tournament watercraft must be specifically identified in a plainly visible manner and a roster of participants must be available on site.
- ~~5. All fishing will be restricted to artificial lures.~~
5. Only one permit will be issued on a waterbody for a specific date.
- ~~6. No weigh in bass tournaments will be permitted on a body of water less than 500 surface acres.~~
6. All fishing will be restricted to artificial lures.
- ~~7. A copy of the tournament permit and a copy of the rules affecting one-day tournaments shall be conspicuously displayed during each tournament at a location accessible to all tournament contestants.~~
7. No weigh-in bass tournaments will be permitted on a body of water less than 500 surface acres.
- ~~8. There shall be a separate permit for Open and Club tournaments. Club tournaments are limited to a maximum participation of 15 boats; however, on waters exceeding 1,000 acres where trailered-rig parking for all participants does NOT occur at a public boat launch facility, a maximum participation of 20 boats is allowed. Open tournaments are limited to 35 acres per boat with a maximum of 100 boats. Youth tournaments will be scheduled in cooperation with IF&W and no permit will be required.~~
8. A copy of the tournament permit and a copy of the rules affecting tournaments shall be conspicuously displayed during each tournament at a location accessible to all tournament contestants.
- ~~9. Tournaments may be Catch/Measure/Release or Weigh In.~~

- a) In Catch/Measure/Release tournaments, all bass caught must be immediately released to the location from which caught.
- b) All bass retained shall be kept in a livewell being operated with the pump(s) in a mode that constantly exchanges livewell water with fresh lake or river water as a flow through system, except when boats are being operated under power of the main outboard while changing locations, or while motoring to shore immediately prior to weigh-in, at which time the pump(s) may be operated in a manner that aerates a fixed volume of water in the livewell. All bass taken shall be returned to the water from which it was caught, unharmed as far as possible, at the conclusion of the tournament day. The daily limit shall be 5 bass per participant with no weight limit.

9. Tournaments are limited to one watercraft per 35 acres with a maximum of 100 watercraft.

10. The total cash value of prizes for single day tournaments shall not exceed \$25,000.

10. Tournaments may be Catch/Measure/Release or Weigh-In.

a) For Catch/Measure/Release tournaments, all bass caught must be immediately released to the location from which caught. Youth tournaments are to be Catch/Measure/Release only. There will be no application fee for Youth tournament permits.

b) For Weigh-In tournaments, all bass retained shall be kept in a livewell being operated with the pump(s) in a mode that constantly exchanges livewell water with fresh lake or river water as a flow-through system, except when watercraft are being operated under power of the main outboard while changing locations, or while motoring to shore immediately prior to weigh-in, at which time the pump(s) may be operated in a manner that aerates a fixed volume of water in the livewell. All bass taken shall be returned to the water from which it was caught, unharmed as far as possible, at the conclusion of the tournament day. The daily limit shall be 5 bass per participant with no weight limit.

11. The Commissioner has the authority to put any condition necessary on any tournament to assure that appropriate measures are taken to protect biological resources and address social concerns.

11. The total cash value of prizes for single-day tournaments shall not exceed \$25,000.

12. Weigh In tournaments are not permitted in Aroostook, Hancock, Piscataquis & Washington Counties from May 20 to June 30 (dates inclusive). In all other counties weigh-in tournaments are not permitted from May 8 to June 14 (dates inclusive).

12. The Commissioner has the authority to put any condition necessary on any tournament to assure that appropriate measures are taken to protect biological resources and address social concerns.

13. Weigh-in tournaments are not permitted in Maine and New Hampshire Border waters from May 15 to June 30 (dates inclusive).

13. Weigh-In tournaments are not permitted in Hancock & Washington Counties from May 20 to June 30 (dates inclusive). In all other South Zone counties weigh-in tournaments are not permitted from May 8 to June 14 (dates inclusive).

14. There will be no more than seven weigh-in tournaments on any water greater than 500 acres, only four of which may be open tournaments.

14. Weigh-in tournaments are not permitted in Maine and New Hampshire Border waters from May 15 to June 30 (dates inclusive).

15. There will be no more than seven weigh-in tournaments per calendar year on any water greater than 500 acres.
16. Bass tournaments are not permitted in any waters within the North Zone (i.e., Aroostook County, Piscataquis County, Somerset County, Franklin County, Oxford County north of the Androscoggin River, and Penobscot County north of Route 11 and 157).
17. No bass tournament shall occur at a public water access facility in a manner that obstructs any avenue of ingress or egress of the launching area.

**D. Multi-Day-Tournaments**

~~For purposes of determining eligibility to apply for a permit to conduct a multi-day bass tournament, the organization must provide current documentation of being a nationally recognized bass fishing organization such as Bass Anglers Sportsman Society (BASS) or Northeast Bass Association (NEBA).~~

The following section applies to multi-day bass tournaments and shall be considered “in addition to” the requirements listed in Sections 2.05.B and 2.05.C above. All other existing State laws and rules pertaining to bass tournaments which are not modified herein continue to apply to multi-day tournaments.

1. Multi-day permit applications will be accepted up to 24 months prior to planned date of the tournament.
2. Multi-day permits will only be allowed for a statewide, multi-state or national championship tournament of a nationally recognized fishing organization ~~such as Bass Anglers Sportsman Society (BASS) or Northeast Bass Association (NEBA).~~  
The organization must provide current documentation of being a nationally recognized bass fishing organization at the time of application.
3. Each day of a multi-day tournament prior to Labor Day will be deducted from the number of one-day weigh-in tournaments allowed per water but these one-day tournaments may be replaced after Labor Day. Multi-day tournaments may be held after Labor Day without displacing one-day weigh-in open tournaments.
- ~~4. No more than one multi-day tournament may be permitted on any individual water per calendar year.~~
4. Multi-day tournaments are only permitted on bodies of water greater than 2000 acres.
- ~~5. Multi-day tournaments are permitted on bodies of water greater than 2000 acres.~~
5. The maximum number of multi-day tournaments/year shall be six statewide, no more than one per water, per calendar year.
- ~~6. The maximum number of multi-days/year shall be six statewide no more than one per water.~~
6. Number of watercraft permitted for a multi-day tournament will be based on 1 watercraft per 35 acres, maximum of up to 300 watercraft.
- ~~7. A copy of the tournament permit and a copy of the rules affecting multi-day tournaments shall be conspicuously displayed during each tournament at a location accessible to all contestants.~~
7. The total cash value of prizes for multi-day tournaments shall not exceed \$300,000.
- ~~8. All anglers in the tournament must possess a valid Maine fishing license unless of an age where a license is not required.~~

9. Number of boats permitted will be based on 35 acres per boat, maximum of up to 300 boats.
10. Bass tournament boats must be specifically identified in a plainly visible manner and roster of participants must be available at the location of the weigh in.
11. The maximum daily possession limit shall be 5 bass per participant with no weight limit.
12. All bass retained shall be kept in a livewell being operated with the pump(s) in a mode that constantly exchanges livewell water with fresh lake water as a flow through system, except when boats are being operated under power of the main outboard while changing locations, or while motoring to shore immediately prior to weigh in, at which time the pump(s) shall be operated in a manner that aerates a fixed volume of water in the livewell.
13. All bass taken shall be returned to the water from which it was caught, unharmed as far as possible, at the conclusion of the tournament day.
14. The total cash value of prizes shall not exceed \$300,000.
15. Any bass organization which sponsors a multi-day bass tournament must submit a completed bass tournament questionnaire, when requested to do so by an agent of the Commissioner, provided that such request must be made in writing to the sponsoring organization prior to the tournament.

#### **E. Maine and New Hampshire Border Waters**

The following section applies to bass tournaments on Maine and New Hampshire Border Waters and shall be considered "in addition to" the requirements listed in Sections 2.05.B and 2.05.C above. All other existing State laws and rules pertaining to bass tournaments which are not modified herein continue to apply to Maine and New Hampshire Border water tournaments.

#### **CATCH/ MEASURE/ RELEASE (CMR)/ WEIGH IN TOURNAMENTS**

1. In Weigh-In tournaments, all bass caught shall be kept on a water-circulating live-well with the intent to keep the retained bass alive. All bass entered for the weigh-in at bass tournaments shall be released unharmed into the same water body where caught as follows: in lakes and ponds, not less than 300 feet away from the shoreline; in rivers at mid-channel not less than 300 feet away from the weigh-in site. Boats designated by the bass tournament sponsor may hold more than the daily limit of bass solely for the purpose of releasing bass after weigh-in.
2. The daily limit shall be 2 bass per participant from April 1 to May 14 with no minimum length or weight limit. The daily limit shall be 5 bass per participant from July 1 to November 30 with no minimum length or weight limit.
3. There will be no more than ten weigh-in tournaments on any water greater than 500 acres, only four of which may be open tournaments.

#### **2.06 Rules Pertaining to Bass Tournaments on the Penobscot River Between Milford and Weldon Dams**

#### **CATCH/MEASURE/RELEASE (CMR) TOURNAMENTS**

1. CMR tournaments are permitted during any time within the legal open water fishing season.
2. CMR tournaments are not subject to the zone restrictions established above for weigh in tournaments.

- ~~3. All other existing State laws and rules pertaining to CMR tournaments still apply (e.g. maximum number of boats, maximum prize values, etc.)~~

### ~~WEIGH IN TOURNAMENTS~~

- ~~1. Establish 4 zones for the permitting of weigh in bass tournaments in the river section between Milford Dam and Weldon Dam, as follows:~~

- ~~a. Milford Dam to Olamon Stream~~
- ~~b. Olamon Stream to West Enfield Dam~~
- ~~c. West Enfield Dam to Chester Bridge~~
- ~~d. Chester Bridge to Weldon Dam~~

~~Once a tournament zone (or weigh in location within a zone) is chosen and a permit issued, fishing will be restricted to waters within that zone. All other water of the Penobscot River and its tributaries, exclusive of the mainstem between Milford and Weldon Dams, would remain under current State rules regarding bass tournaments.~~

- ~~2. No more than 3 weigh in tournaments per zone per year.~~

- ~~3. Weigh in tournaments prohibited between May 16 and June 30 and between October 1 and November 30 (Catch/Measure/Release (CMR) tournaments only during these periods).~~

- ~~4. For weigh ins scheduled from April 1 to May 15 or from July 1 to September 14:~~

- ~~a. Set maximum number of boats per tournament at 50.~~
- ~~b. Set bag limit at 3 fish/angler for individual participant weigh ins and 5 per team/boat for team competition weigh ins.~~

- ~~5. For weigh ins schedule from September 15 to September 30;~~

- ~~a. Set maximum number of boats per tournament at 20.~~
- ~~b. Set bag limits same as under 4.b above.~~

- ~~6. All other existing State laws and rules pertaining to weigh in tournaments which are not modified herein continue to apply to Penobscot River tournaments.~~

## **2.07 Rules Pertaining to Bass Tournaments on Maine and New Hampshire Border Waters**

### **CATCH/ MEASURE/ RELEASE (CMR)/ WEIGH IN TOURNAMENTS**

- ~~1. In Weigh In tournaments, all bass caught shall be kept on a water circulating live well with the intent to keep the retained bass alive. All bass entered for the weigh in at bass tournaments shall be released unharmed into the same water body where caught as follows: in lakes and ponds, not less than 300 feet away from the shoreline; in rivers at mid channel not less than 300 feet away from the weigh in site. Boats designated by the bass tournament sponsor may hold more than the daily limit of bass solely for the purpose of releasing bass after weigh in.~~

- ~~2. The daily limit shall be 2 bass per participant from April 1 to May 14 with no minimum length or weight limit. The daily limit shall be 5 bass per participant from July 1 to November 30 with no minimum length or weight limit.~~
- ~~3. There will be no more than ten weigh in tournaments on any water greater than 500 acres, only four of which may be open tournaments.~~
- ~~4. All other existing State laws and rules pertaining to CMR and weigh in tournaments which are not modified herein continue to apply to Maine and New Hampshire Border water tournaments. (e.g. maximum number of boats, maximum prize values, etc.)~~