



# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 593

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S.P. 261

In Senate, February 14, 2023

**An Act to Increase the Bag Limit for Smelts for Personal Use from 2  
Quarts to 4 Quarts**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator MOORE of Washington.  
Cosponsored by Representative PERRY of Calais and  
Representative: DAVIS of East Machias.

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

2 **Sec. 1. 12 MRSA §6557** is enacted to read:

3 **§6557. Smelts; limits; personal use**

4 A person may not take more than 4 quarts of smelts for personal use in any one day.  
5 For the purposes of this section, one day is a 24-hour period beginning at noon on a given  
6 day and ending at 11:59 a.m. the following day.

7 **Sec. 2. 12 MRSA §12456, sub-§2, ¶A,** as repealed and replaced by PL 2013, c.  
8 588, Pt. A, §17, is amended to read:

9 A. A person who holds a valid Maine fishing license may take smelts for recreational  
10 purposes only from the inland waters or portions of inland waters that are naturally free  
11 of ice with a dip net in the usual and ordinary way from noon to 2:00 a.m. in accordance  
12 with bag limits established by rule. The rules must allow for up to 4 quarts of smelts  
13 for personal use. Bag limits established by rule under this paragraph are for a 24-hour  
14 period, beginning at noon on a given day and ending at 11:59 a.m. the following day.  
15 The commissioner may prohibit the taking of smelts under this section or shorten the  
16 noon to 2:00 a.m. smelt fishing ~~timeframe~~ time frame by rule for enforcement or  
17 conservation purposes.

18 (2) A person may not take smelts with a dip net unless that dip net meets the  
19 requirements under section 10001, subsection 12-A.

20 Each day a person violates subparagraph (2) that person commits a Class E crime; and

21 **SUMMARY**

22 Current Department of Inland Fisheries and Wildlife rules impose a 2-quart bag limit  
23 on the taking of smelts for recreational purposes. This bill increases that bag limit to 4  
24 quarts of smelts. It also provides that a person may take up to 4 quarts of smelts for personal  
25 use under the Department of Marine Resources laws on finfish.