

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 214

H.P. 137

House of Representatives, January 21, 2025

**An Act to Create a For-hire Charter Boat Operator License and to
Require Individuals Recreationally Fishing for Halibut in Coastal
Waters to Register with the Saltwater Recreational Fishing Registry**

Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

Received by the Clerk of the House on January 16, 2025. Referred to the Committee on Marine Resources pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative HEPLER of Woolwich.

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

2 **Sec. 1. 12 MRSA §6312, sub-§3, ¶B**, as amended by PL 2011, c. 421, §2, is further
3 amended to read:

4 B. A passenger on board a vessel captained by an individual who possesses a valid
5 ~~recreational fishing~~ for-hire charter boat operator's license pursuant to ~~subsection 5~~
6 section 6313;

7 **Sec. 2. 12 MRSA §6312, sub-§3, ¶H**, as enacted by PL 2011, c. 421, §2, is
8 amended to read:

9 H. A person who has employed the guiding services of an individual who possesses a
10 current guide license for tidewater fishing as provided by rule pursuant to section 12853
11 and a valid ~~recreational fishing~~ for-hire charter boat operator's license pursuant to
12 ~~subsection 5~~ section 6313;

13 **Sec. 3. 12 MRSA §6312, sub-§3-A** is enacted to read:

14 **3-A. Registration required for fishing for halibut.** Notwithstanding subsection 3,
15 an individual fishing for halibut in the coastal waters of the State is required to register and
16 obtain recreational halibut tags.

17 **Sec. 4. 12 MRSA §6312, sub-§5**, as amended by PL 2011, c. 421, §2, is further
18 amended to read:

19 **5. Recreational fishing operator's license.** The following persons are eligible to hold
20 a recreational fishing operator's license issued by the commissioner:

21 ~~A. A captain of a vessel licensed to carry passengers for hire for saltwater recreational~~
22 ~~fishing;~~

23 B. A person operating a business that rents smelt fishing camps for saltwater
24 recreational smelt fishing; and

25 C. A person who owns a private dock, pier or wharf and makes that wharf available to
26 customers for the purpose of recreational fishing as part of a commercial enterprise;
27 and.

28 ~~D. An individual who possesses a current guide license for tidewater fishing as~~
29 ~~provided by rule pursuant to section 12853.~~

30 A person who holds a recreational fishing operator's license shall collect data from persons
31 who engage in saltwater recreational fishing and report the data to the commissioner as
32 specified by the commissioner by rule.

33 There is no fee for a recreational fishing operator's license.

34 **Sec. 5. 12 MRSA §6313** is enacted to read:

35 **§6313. For-hire charter boat operator's license**

36 **1. License required.** A person may not engage in the activities authorized under this
37 section without a current for-hire charter boat operator's license.

38 **2. Licensed activity.** The holder of a for-hire charter boat operator's license may take
39 paying passengers recreationally fishing for fish in the coastal waters of the State on the

1 vessel identified on that for-hire charter boat operator's license. The license does not
2 authorize the holder or the holder's passengers to sell any fish taken under this license.

3 **3. License fee.** The fee for a for-hire charter boat operator's license is \$25 for a resident
4 of this State and \$50 for a nonresident. Fees must be deposited in the Marine Recreation
5 Fishing Conservation and Management Fund established under section 6032-A.

6 **4. Eligibility.** A for-hire charter boat operator's license may be issued only to an
7 individual. A for-hire charter boat operator's license may be issued to an individual only if
8 the individual:

9 A. Is a captain of a vessel holding a valid and current certificate of inspection issued
10 by the United States Coast Guard; or

11 B. Holds a current guide license for tidewater fishing as provided by rule pursuant to
12 section 12853.

13 **5. Violation.** A person who violates this section commits a civil violation for which a
14 fine of not less than \$100 nor more than \$500 may be adjudged.

15 SUMMARY

16 This bill creates a new requirement for individuals who take paying customers
17 recreationally fishing for fish in the coastal waters of the State to obtain a for-hire charter
18 boat operator's license. The fee for the license is \$25 for residents and \$50 for nonresidents,
19 all of which must be deposited in the Marine Recreation Fishing Conservation and
20 Management Fund. The license is available only to an individual holding a current guide
21 license for tidewater fishing or who is a captain of a vessel holding a valid and current
22 certificate of inspection issued by the United States Coast Guard. It also eliminates
23 exceptions from having to register with the saltwater registry for individuals fishing
24 recreationally for halibut.