

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 1077

H. P. 748

House of Representatives, February 5, 1963

Referred to Committee on Sea and Shore Fisheries. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Richardson of Stonington.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT Providing for Licensing of Salt Water Sports Fishermen.

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

Sec. 1. R. S., c. 37-A, §§ 23-A - 23-C, additional. Chapter 37-A of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1959, is amended by adding 3 new sections 23-A to 23-C, to read as follows:

‘Sec. 23-A. Sport fishing licenses, fees. No person shall fish in the tidal waters of the State nor take any shellfish or marine worms for food or bait unless he possesses a license or except in accordance with the following provisions:

I. License kept on the person. The license shall be kept upon the person while fishing or clamming or while transporting fish, shellfish or bait and shall be exhibited upon request to any warden or employee of the department.

II. Persons under 16. Any person under 16 years of age may fish under this section without a license.

III. Boats. Each owner or operator of a boat who is in the business of taking out passengers for the purpose of fishing shall obtain a license from the commissioner. The fee for such a license shall be \$10. If the operator of the boat is the holder of a commercial fishing license, a scallop fishing license or a lobster and crab fishing license, he is exempt from this subsection.

IV. Clerks. For the purpose of issuing licenses the commissioner may appoint clerks of the towns or such other agents as he deems necessary, and shall determine the period during which they shall act. The license shall be issued to both residents and nonresidents upon payment of \$1.25 and the clerk or agent shall retain 25c from the fee. The license shall be valid for the cal-

endar year in which it was issued. All licenses shall expire on December 31st of the year of issue.

V. Where license obtained. Any person may apply and obtain a license from the clerk or agent in any town or city.

VI. Funds. All funds derived from the sale of licenses under this section shall be used for the management, propagation and protection of marine fish and mollusks frequenting the shores and tidal streams of the State, and for conservation, education and other expenses incident to the administration of these functions. If any such funds are not expended during the year in which they were collected, the unexpended balance shall not lapse but shall be carried as a continuing account available for the purposes specified, until expended.

Sec. 23-B. Limit on shellfish and worms. A person possessing a license issued under section 23-A may take and have in his possession one peck of clams, quahogs and mussels in the aggregate and 30 marine worms in a day, when they can be taken from flats not closed by local or state law or by department regulation.

Sec. 23-C. Penalty. Any person who violates any provision of sections 23-A or 23-B shall be punished by a fine of not more than \$25.'

Sec. 2. Effective date. This act shall become effective January 1, 1964.