

MAINE STATE LEGISLATURE

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(NEW TITLE)
NEW DRAFT OF: H. P. 123, L. D. 139

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1444

H. P. 1123

House of Representatives, April 15, 1969

Reported by Mr. Kelley from Committee on Inland Fisheries and Game.
Printed under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Relating to Licensing of Guides Under Fish and Game Laws.

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

Sec. 1. R. S., T. 12, § 2051, repealed. Section 2051 of Title 12 of the Revised Statutes is repealed.

Sec. 2. R. S., T. 12, § 2053, repealed and replaced. Section 2053 of Title 12 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

§ 2053. Application for licenses, fees, classification, revocation of license

A guide is any person who receives any form of remuneration for his services in accompanying or assisting any hunter or camper in the fields, forests or on the waters within the jurisdiction of the State or any fisherman in the fields, forests or on the inland waters of the State.

No person shall act as a guide until he has procured a license to guide from the commissioner and he shall not be eligible to guide until he is 18 years of age.

Any person wishing to be licensed as a Maine guide after January 1, 1970 shall submit an application on such forms as the commissioner may provide. After receipt of such application, the commissioner may require the applicant to appear before a board of examiners to determine the applicant's qualifications.

The commissioner may make such regulations as he may deem necessary pertaining to the licensing of guides.

A board of examiners for the licensing of guides shall consist of the commissioner or such subordinate officer of the department as the commissioner may designate and 2 wardens of the Department of Inland Fisheries and Game. Hearings will be held in areas designated by the commissioner and all area applicants shall be notified of time and place at least 2 weeks prior to the hearing.

The commissioner, upon receipt of the recommendation of the board of examiners, may license such persons as a general guide or a specialized guide and said commissioner may, at his discretion, change the classification of guides from one class to another.

Guides shall be restricted in the use of motorboats while guiding on such waters as the commissioner may prescribe. Guides holding a valid USCG license to carry passengers for hire or a valid superior USCG license may use a motorboat for guiding on such Maine coastal waters as permitted by the above-mentioned USCG licenses and on all inland waters of the State. Guides holding a valid license to operate a motorboat carrying passengers for hire issued by the Bureau of Watercraft Registration and Safety may use a motorboat for guiding on all inland waters of the State.

A fee of \$15 shall be paid annually for a resident guide's license. Non-residents may be so licensed upon payment of a fee of \$50. Persons licensed under this section may hunt and fish by virtue of their guide's license.

Whenever a guide is convicted of having violated any provisions of the inland fish and game laws, or any of the rules and regulations established by the commissioner for the licensing of guides, said commissioner shall suspend a guide's license for no more than 2 years and may deny the right to hunt or fish for 2 years.

Any person who guides without first having procured a license to do so from the commissioner shall be subject to a fine of not less than \$50 and each day that he so guides shall constitute a separate offense.