

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 439

S. P. 134

In Senate, January 30, 1975

Referred to the Committee on Marine Resources. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Reeves of Kennebec.

Cosponsor: Senator Cummings of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Amend the Nonresident Commercial Fishing License.

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

Sec. 1. 12 MRSA, § 3802, 1st ¶, is amended to read:

It is unlawful for a nonresident of the State of Maine to ~~use or operate in the coastal waters of the State, any weir, floating fish trap or boat engaged~~ engage in seining, dragging or netting commercial fishing, unless he has a current written license from the commissioner as provided in this section.

Sec. 2. 12 MRSA, § 3802, sub-§ 2, is amended to read:

2. **General scope of license.** The licensee is entitled to take and sell all species of fish ~~from the tidal waters of the State~~ when and where it is otherwise lawful to take them, except shellfish, lobsters, crabs or scallops.

Sec. 3. 12 MRSA, § 3802, sub-§ 3, 1st ¶, is amended to read:

A person who is not a resident of this State may obtain a nonresident commercial fishing license to ~~operate any number or any combination of the following: A boat engaged in seining, netting or dragging, a weir or a floating fish trap~~ to engage in commercial fishing.

Sec. 4. 12 MRSA, § 3802, sub-§ 3, ¶ A, 1st sentence, is amended to read:

If he does not desire the license to cover more than 2 nonresident crew members, other than the operator, the fee is ~~\$100 for each boat, weir or fish trap~~ licensed \$200.

Sec. 5. 12 MRSA, § 3802, sub-§ 3, ¶ B, 1st ¶, is amended to read:

If he desires the license to cover more than 2 nonresident crew members, other than the operator, the fee is ~~\$100~~ \$200 for each boat, weir or fish trap ~~licensed the license~~, plus \$25 for each nonresident crew member, other than the operator, beyond the first 2 covered by the license.

Sec. 6. 12 MRSA, § 3802, sub-§ 5, ¶ A, is amended to read:

A. If a ~~weir, trap or boat so licensed~~ licensee has more members than is stated in the license, the operator of the weir, trap or boat shall be punished by a fine of \$50 for each unauthorized person or by imprisonment for not more than 30 days.

FISCAL NOTE

No additional cost. Estimated increase in revenue, \$1,500.

STATEMENT OF FACT

This Act reflects recommended changes in the nonresident commercial fishing license. This bill also increases the license fee from \$100 to \$200.