

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 1272

H. P. 1045

House of Representatives, March 24, 1977

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

EDWIN H. PERT, Clerk

Presented by Mr. Blodgett of Waldoboro.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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AN ACT to Remove the Commercial License of Smelt Fishermen.

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

Sec. 1. 12 MRSA § 3801, 1st ¶, as repealed and replaced by PL 1975, c. 565, § 1, is amended to read:

It is unlawful for any resident of the State of Maine to engage in commercial fishing **other than the commercial fishing for smelts**, unless he has a current written license from the commissioner as provided in this section, except that any person may fish for or take finfish by use of spear gun, dip net, handline or rod and reel for consumption by himself or by members of his family without having a license as provided in this section.

Sec. 2. 12 MRSA § 3802, 1st ¶, as amended by PL 1975, c. 565, § 2, is further amended to read:

It is unlawful for a nonresident of the State of Maine to engage in commercial fishing **other than the commercial fishing for smelts**, unless he has a current written license from the commissioner as provided in this section, except that any person may fish for or take finfish by use of spear gun, dip net, handline or rod and reel for consumption by himself or by members of his family without having a license as provided in this section.

STATEMENT OF FACT

This bill would remove the requirement for a commercial fishing license for commercial smelt fishermen. Most smelt fishermen fish for the enjoyment of

the sport and very few sell a large number of smelts during the course of a season. They sell only any excess smelts which they may catch. The Department of Marine Resources has stated that it does not expect the licensing provisions to generate more than \$1,000 per year from smelt fishermen.