

MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 1392, L.D. 1963)
2 SECOND REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 2284

8 H.P. 1621

House of Representatives, March 31, 1986

9 Reported by Representative Manning from the Committee on Marine
Resources and printed under Joint Rule 2. Original bill sponsored by
10 Representative Carter of Winslow. Cosponsored by Representative Ruhlin of
Brewer, Senator Perkins of Hancock and Representative Connors of Franklin.

11 EDWIN H. PERT, Clerk

12
13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-SIX
17

18 AN ACT Concerning Atlantic Salmon.
19

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

22 Sec. 1. 12 MRSA §6171, sub-§2, as amended by PL
23 1983, c. 680, §1, is further amended to read:

24 2. Limitations. ~~This section grants no authority~~
25 ~~to adopt regulations for the conservation of Atlantic~~
26 ~~salmon, except as provided in section 6253, subsec-~~
27 ~~tion 3.~~ A regulation authorized under this section
28 may only limit the taking of marine organisms by one
29 or more of the following:

30 A. Time;

31 B. Method;

32 C. Number;

- 1 D. Weight;
- 2 E. Length; or
- 3 F. Location.

4 Sec. 2. 12 MRSA §6255, sub-§1, as enacted by PL
5 1983, c. 680, §3, is amended to read:

6 1. License required. It is unlawful for any
7 person to fish for Atlantic salmon from the areas in-
8 dicated in subsection 2, or to take, possess, ship or
9 transport Atlantic salmon taken from these waters
10 without a current Atlantic salmon license, except as
11 provided in subsection 6.

12 Sec. 3. 12 MRSA §6255, sub-§3, as amended by PL
13 1985, c. 268, §3, is repealed and the following en-
14 acted in its place:

15 3. License fees. The commission shall issue an
16 Atlantic salmon license to fish for Atlantic salmon
17 in inland and coastal waters of the State designated
18 in subsection 2.

19 A. The fee for an Atlantic salmon license is \$10
20 for any resident.

21 B. The fee for an Atlantic salmon license for
22 any nonresident is as follows:

23 (1) For any nonresident 16 years of age or
24 older, \$30;

25 (2) For a 3-day Atlantic salmon license for
26 any nonresident 16 years of age or older,
27 \$15. This license may not be exchanged for a
28 season license; and

29 (3) For any nonresident under 16 years of
30 age, \$5.

31 C. Members of Maine's Indian tribes and Maine
32 residents under 16 years of age are exempt from
33 any fee.

1 Sec. 4. 12 MRSA §6255, sub-§5, as enacted by PL
2 1983, c. 680, §3, is repealed and the following en-
3 acted in its place:

4 5. Tags. Any Atlantic salmon taken from inland
5 or coastal waters, designated in subsection 2, shall
6 be immediately tagged with a tag bearing the license
7 number of the person who caught the fish. Five of
8 these tags shall be issued with each Atlantic salmon
9 license; except that only one tag shall be issued
10 with a license issued under subsection 3, paragraph
11 B, subparagraphs (2) and (3). It is unlawful for any
12 person to possess, sell, give away, accept as a gift,
13 offer for transportation or transport an Atlantic
14 salmon which has not been lawfully tagged, while
15 fishing in the waters described in subsection 2.

16 Sec. 5. 12 MRSA §6256 is enacted to read:

17 §6256. Registration of Atlantic salmon

18 It is unlawful to possess, ship or transport an
19 Atlantic salmon which has not been properly regis-
20 tered according to the provisions of this section by
21 the person who killed the fish.

22 1. Time period. Within 12 hours, the person who
23 killed the salmon shall present the salmon for regis-
24 tration. The salmon shall be registered at the first
25 open salmon registration station on the route taken
26 by the person killing the fish.

27 2. Information requirements. The person who
28 killed the fish must register the fish in his own
29 name. Information concerning each salmon registered
30 must be reported accurately and truthfully.

31 3. Possession of unlabeled parts unlawful. It
32 is unlawful to possess any part of an Atlantic salmon
33 taken from the inland or coastal waters of this
34 State, unless each part is plainly labeled with the
35 name and address of the person who registered the
36 fish, except those fish properly identified in sec-
37 tion 6255, subsection 6.

38 4. Exemptions. The following are exempt from
39 the registration requirements:

1 A. Atlantic salmon less than 25 inches in
2 length;

3 B. Atlantic salmon which are imported from out-
4 side the State; and

5 C. Atlantic salmon imported by taxidermists
6 solely for taxidermy purposes.

7 5. Commercial finfishing provision. The holder
8 of a commercial finfish license who takes an Atlantic
9 salmon while fishing in the coastal waters, other
10 than those waters identified in section 6255, subsec-
11 tion 2, shall notify the commission within 24 hours
12 of his first landfall, providing all information as
13 the commission may require, and provided that a limit
14 of 5 fish per year may be registered in this manner.

15 6. Recreational fishing provision. A person en-
16 gaged in recreational fishing in the coastal waters,
17 other than those identified in section 6255, subsec-
18 tion 2, who takes an Atlantic salmon shall notify the
19 commission within 24 hours of his first landfall,
20 providing all information as the commission may re-
21 quire, and provided that a limit of 5 fish per year
22 may be registered in this manner.

23 STATEMENT OF FACT

24 The purpose of this new draft is to improve the
25 integrity of the State's conservation program for At-
26 lantic salmon. The current license requirements are
27 impossible to enforce due to the current geographical
28 restrictions in the existing law. The new draft also
29 provides for a registration program to provide fish-
30 eries biologists with better information on the sta-
31 tus of the salmon stocks. Special provisions are
32 made for incidental catch by commercial and charter
33 boat fishermen.

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