

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2134

H.P. 1567 House of Representatives, January 25, 1988
Submitted by the Department of Marine Resources pursuant
to Joint Rule 24.

Reference to the Committee on Marine Resources suggested
and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative LOOK of Jonesboro.

Cosponsored by Senators RANDALL of Washington, PERKINS of
Hancock, and Representative MITCHELL of Freeport.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 AN ACT to Clarify the Laws Relating to
2 Atlantic Salmon Conservation.
3

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

6 Sec. 1. 12 MRSA §6001, sub-§§17-B and 48-A are
7 enacted to read:

8 17-B. Fork length. "Fork length" means the

1 greatest dimension between the most anteriorly
2 projecting part of the head and the apex of the V
3 formed by the caudal fin. The measurement is a
4 straight line and is not taken over the curve of the
5 body.

6 48-A. Total length. "Total length" means the
7 greatest dimension between the most anteriorly
8 projecting part of the head and the farthest tip of
9 the caudal fin when the caudal rays are squeezed
10 together. The measurement is a straight line and is
11 not taken over the curve of the body.

12 Sec. 2. 12 MRSA §6255, sub-§5, as repealed and
13 replaced by PL 1985, c. 703, §4, is amended to read:

14 5. Tags. Any Atlantic salmon taken from inland
15 or coastal waters, designated in subsection 2,
16 shall be immediately tagged with a tag bearing the
17 license number of the person who caught the fish or
18 shall be tagged as provided in section 6256,
19 subsection 6. Five of these tags shall be issued
20 with each Atlantic salmon license; except that only
21 one tag shall be issued with a license issued under
22 subsection 3, paragraph B, subparagraphs (2) and (3).
23 It is unlawful for any person to possess, sell, give
24 away, accept as a gift, offer for transportation or
25 transport an Atlantic salmon which has not been
26 lawfully tagged, while fishing in the waters
27 described in subsection 2.

28 Sec. 3. 12 MRSA §6255, sub-§6, ¶¶B to D, as
29 enacted by PL 1983, c. 680, §3, are amended to read:

30 B. Tagged with a New Brunswick, Quebec, Nova
31 Scotia or Newfoundland-Labrador Atlantic salmon
32 tag if imported from New Brunswick those
33 Canadian provinces;

34 C. Identified by a sales receipt less than 24
35 hours old; or

36 D. For wholesale and retail seafood dealers, a
37 bill of sale indicating numbers of fish purchased,
38 dates of purchase and point of origin of all fish

1 purchased; or

2 Sec. 4. 12 MRSA §6255, sub-§6, ¶E is enacted to
3 read:

4 E. Tagged as provided in section 6256, subsection
5 6.

6 Sec. 5. 12 MRSA §6256, sub-§1, as enacted by PL
7 1985, c. 703, §5, is amended to read:

8 1. Time period. Within 12 hours, except as
9 provided in subsection 4, the person who killed the
10 salmon shall present the salmon for registration. The
11 salmon shall be registered at the first open salmon
12 registration station on the route taken by the person
13 killing the fish.

14 Sec. 6. 12 MRSA §6256, sub-§4, ¶A, as enacted
15 by PL 1985, c. 703, §5, is repealed.

16 Sec. 7. 12 MRSA §6256, sub-§5, as enacted by PL
17 1985, c. 703, §5, is repealed.

18 Sec. 8. 12 MRSA §6256, sub-§6, as enacted by PL
19 1985, c. 703, §5, is repealed and the following
20 enacted in its place:

21 6. Recreational fishing provision. A person
22 engaged in recreational fishing in the coastal waters,
23 other than those identified in section 6255,
24 subsection 2, who takes an Atlantic salmon, shall
25 affix to each fish an identification tag designating
26 the date, location and name of the person who caught
27 the fish. The person shall notify the commission or
28 its agents within 24 hours of that person's first
29 landfall providing all information as the commission
30 may require.

31 Sec. 9. 12 MRSA §6553, sub-§§1 to 3, as enacted
32 by PL 1977, c. 661, §5, is amended to read:

33 1. Minimum length. It shall be unlawful to take
34 or possess Atlantic salmon which are less than 14
35 inches total length.

1 2. Method of taking. From July 16th ~~May~~ 1st
2 to October 15th, both days inclusive, it shall be

3 unlawful to take Atlantic salmon from the coastal
4 waters by means other than hook and line with a
5 single hook. Any Atlantic salmon taken by any other
6 means shall be immediately released.

7 3. Closed season. From October 16th to
8 ~~March-31st~~ April 30th, both days inclusive, it shall
9 be unlawful to take Atlantic salmon from the coastal
10 waters by any means.

11 Sec. 10. 12 MRSA §6553, sub-§6, as amended by
12 PL 1983, c. 680, §5, is further amended to read:

13 6. Bag limit. It is unlawful to take more than
14 one Atlantic salmon in one day from inland waters or
15 coastal waters designated in section 6255,
16 subsection 2. No more than 5 Atlantic salmon per
17 person may be taken annually from all waters of the
18 State.

19 Sec. 11. 12 MRSA §6553, sub-§8 is enacted to
20 read:

21 8. Disposition. It is unlawful to sell or offer
22 for sale any Atlantic salmon taken from the inland or
23 coastal waters of the State, except Atlantic salmon
24 lawfully raised by means of aquaculture.

25 STATEMENT OF FACT

26 This bill is intended to clarify inconsistencies
27 between laws and current regulations of the Atlantic
28 Sea Run Salmon Commission.

29 The bill amends the laws to clarify a standard of
30 measure for minimum size and addresses the method of
31 harvest and closed season during the period of April
32 1st to July 15th. The bag limit and season limit
33 provisions are expanded to cover all waters of the
34 State and not only designated waters at the mouths of

1 salmon rivers as is now the case. Since current law
2 does not address bag and season limits outside
3 designated salmon waters, these limits are difficult
4 to enforce. Atlantic salmon caught in Maine waters
5 would not be allowed to be sold, except those fish
6 lawfully raised by means of aquaculture.

7 The bill repeals the Maine Revised Statutes, Title
8 12, section 6256, subsection 4, paragraph A; and
9 subsections 5 and 6, concerning registration
10 requirement exemptions and commercial and recreational
11 fishing provisions, and replaces these sections with a
12 revised recreational fishing provision. The effect of
13 this change is to require all Atlantic salmon caught
14 to be registered; to provide a mechanism for salmon
15 caught incidentally by recreational fishermen to be
16 legally kept, tagged and registered, provided that
17 daily and seasonal bag limits are not exceeded; and to
18 prohibit the retention of salmon caught incidentally
19 by commercial fishermen.

20 The bill allows a recreational fisherman on a
21 2-day or 3-day trip along the coast to be exempt from
22 the 12-hour registration time limit requirement for
23 salmon. A fisherman may provide registration
24 information to the commission or its agents within 24
25 hours of the first landfall.

26 The bill provides a mechanism whereby all salmon
27 caught in Maine waters may be tagged and clearly
28 identified.

29 The bill allows for a person to legally possess
30 Atlantic salmon which have been caught in Canadian
31 Atlantic maritime provinces and imported into Maine or
32 caught in offshore Maine waters by a recreational
33 fisherman.

34 The bill provides definitions for length
35 measurements, total length and fork length, to
36 determine legal sizes of finfish species taken from
37 Maine waters.

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