

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 1811

H.P. 1263

House of Representatives, April 2, 2007

### An Act To Create a Saltwater Recreational Fishing License

(AFTER DEADLINE)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative PERCY of Phippsburg.  
Cosponsored by Senator DAMON of Hancock.

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

2 **Sec. 1. 12 MRSA §6032**, as enacted by PL 1999, c. 85, §3, is repealed and the  
3 following enacted in its place:

4 **§6032. Marine Recreation Fishing Conservation and Management Fund**

5 **1. Fund established.** The Marine Recreation Fishing Conservation and  
6 Management Fund, referred to in this section as "the fund," is established within the  
7 department. In addition to fees derived from the saltwater recreational fishing license  
8 pursuant to section 6506, subsection 6, the commissioner may receive on behalf of the  
9 fund funds from any source. All money received into the fund must be used for the  
10 purposes of the fund. Unexpended balances in the fund at the end of the fiscal year do  
11 not lapse but must be carried forward to the next fiscal year to be used for the purposes of  
12 the fund. Any interest earned on the money in the fund must be credited to the fund. By  
13 February 1st of each year, the commissioner shall report to the joint standing committee  
14 of the Legislature having jurisdiction over marine resources matters on the amount of  
15 money collected in the fund and all expenditures made from the fund in the previous  
16 fiscal year.

17 **2. Uses of fund.** The commissioner, with the advice of the Marine Recreational  
18 Fishing Advisory Council, may authorize the expenditure of money from the fund for:

- 19 A. Resource and habitat enhancement;
- 20 B. Fisheries management research;
- 21 C. Acquisition of land or an interest in land that provides for the enhancement of  
22 fishery habitat or public access to coastal fishing waters;
- 23 D. Enforcement of marine resources laws;
- 24 E. Education and outreach; and
- 25 F. Administration and operating expenses.

26 Funds allocated for expenditure under paragraph C must be deposited in the Public  
27 Access to Maine Waters Fund established in Title 5, section 6203-A.

28 **Sec. 2. 12 MRSA §6506** is enacted to read:

29 **§6506. Saltwater recreational fishing license**

30 **1. License required.** Except as otherwise provided pursuant to this Part, it is  
31 unlawful for an individual to engage in saltwater recreational fishing without holding at  
32 least one of the following:

- 33 A. An annual resident saltwater recreational fishing license;
- 34 B. An annual nonresident saltwater recreational fishing license;
- 35 C. A 2-week nonresident saltwater recreational fishing license;
- 36 D. A charter boat saltwater recreational fishing license; or

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E. A head boat saltwater recreational fishing license.

A saltwater recreational fishing license does not authorize the license holder to sell fish taken with the license.

**2. Agents for purpose of selling licenses.** The commissioner shall adopt rules that establish the criteria for selecting agents to sell saltwater recreational fishing licenses. Agents appointed by the commissioner to issue licenses shall charge a fee of \$2 for each license issued. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**3. Licensed activities.** The holder of a saltwater recreational fishing license may fish for, take, transport or possess finfish and freshwater fish as defined in section 6001 in coastal waters.

**4. Exemptions.** A license is not required to engage in saltwater recreational fishing in coastal waters for an individual under 16 years of age or a resident 70 years of age or older. A license is not required for a passenger or crew member on board a vessel designated on a current charter boat saltwater recreational fishing license or head boat saltwater recreational fishing license.

**5. Eligibility.** A saltwater recreational fishing license may be issued only to an individual.

**6. Fees.** The fees for saltwater recreational fishing licenses are:

- A. Fifteen dollars for an annual resident saltwater recreational fishing license;
- B. Thirty dollars for an annual nonresident saltwater recreational fishing license;
- C. Fifteen dollars for an annual nonresident saltwater recreational fishing license for applicants 70 years of age or older;
- D. Fifteen dollars for a 2-week nonresident saltwater recreational fishing license;
- E. Two hundred dollars for a charter boat saltwater recreational fishing license; and
- F. Four hundred dollars for a head boat saltwater recreational fishing license.

**7. Disposition of fees.** All fees for saltwater recreational fishing licenses collected pursuant to subsection 6 must be deposited in the Marine Recreation Fishing Conservation and Management Fund established in section 6032.

**8. Violation.** Violation of this section is a civil violation for which a fine of not less than \$100 may be adjudged.

**SUMMARY**

This bill establishes a saltwater recreational fishing license, dedicates the fees from licensing to the Marine Recreation Fishing Conservation and Management Fund and gives the Commissioner of Marine Resources authority to make expenditures from the fund for purposes such as fisheries management research and education and outreach.