MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 302

H.P. 244

House of Representatives, February 3, 2011

An Act To Allow an Angler To Gift a Freshwater Fish to a Person Who Is Not Licensed To Fish

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

HEATHER J.R. PRIEST Clerk

Presented by Representative TUTTLE of Sanford. Cosponsored by Senator JACKSON of Aroostook and

Representatives: CLARK of Millinocket, DAVIS of Sangerville, MARTIN of Eagle Lake,

PILON of Saco, SHAW of Standish, THERIAULT of Madawaska.

Be it enacted by the People of the State of Maine as follows:
Sec. 1. 12 MRSA §12613 is enacted to read:
§12613. Possessing gift fish
1. Prohibition. A person who does not possess a valid fishing license issued under chapter 913 or this chapter may not possess a fish or any part of a fish given to that person unless the gift fish was lawfully caught and is plainly labeled with the name of the person who gave the fish and the year the fish was caught by that person. This section does not apply to baitfish.
 2. Penalty. The following penalties apply to violations of this section. A. A person who violates this section commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. B. A person who violates this section after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period
commits a Class E. crime. SUMMARY
This bill provides that a person who is not licensed to fish may possess a fish given to that person as long as the gift fish was lawfully caught and is plainly labeled with the name of the person who gave the fish and the year the fish was caught by that person.