

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

—
H.P. 137 - L.D. 214

**An Act to Create a For-hire Charter Boat Operator License and to Require
Individuals Recreationally Fishing for Halibut in Coastal Waters to Register
with the Saltwater Recreational Fishing Registry**

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

Sec. 1. 12 MRSA §6312, sub-§3, ¶B, as amended by PL 2011, c. 421, §2, is further amended to read:

B. A passenger on board a vessel captained by an individual who possesses a valid ~~recreational fishing for-hire charter boat~~ operator's license pursuant to ~~subsection 5~~ section 6313;

Sec. 2. 12 MRSA §6312, sub-§3, ¶H, as enacted by PL 2011, c. 421, §2, is amended to read:

H. A person who has employed the guiding services of an individual who possesses a current guide license for tidewater fishing as provided by rule pursuant to section 12853 and a valid ~~recreational fishing for-hire charter boat~~ operator's license pursuant to ~~subsection 5~~ section 6313;

Sec. 3. 12 MRSA §6312, sub-§3-A is enacted to read:

3-A. Registration required for fishing for halibut. Notwithstanding subsection 3, an individual fishing for halibut in the coastal waters of the State is required to register and obtain recreational halibut tags.

Sec. 4. 12 MRSA §6312, sub-§5, as amended by PL 2011, c. 421, §2, is further amended to read:

5. Recreational fishing operator's license. The following persons are eligible to hold a recreational fishing operator's license issued by the commissioner:

~~A. A captain of a vessel licensed to carry passengers for hire for saltwater recreational fishing;~~

B. A person operating a business that rents smelt fishing camps for saltwater recreational smelt fishing; and

C. A person who owns a private dock, pier or wharf and makes that wharf available to customers for the purpose of recreational fishing as part of a commercial enterprise; and

~~D. An individual who possesses a current guide license for tidewater fishing as provided by rule pursuant to section 12853.~~

A person who holds a recreational fishing operator's license shall collect data from persons who engage in saltwater recreational fishing and report the data to the commissioner as specified by the commissioner by rule.

There is no fee for a recreational fishing operator's license.

Sec. 5. 12 MRSA §6313 is enacted to read:

§6313. For-hire charter boat operator's license

1. License required. A person may not engage in the activities authorized under this section without a current for-hire charter boat operator's license.

2. Licensed activity. The holder of a for-hire charter boat operator's license may take paying passengers recreationally fishing for fish in the coastal waters of the State on the vessel identified on that for-hire charter boat operator's license. The license does not authorize the holder or the holder's passengers to sell any fish taken under this license.

3. Agent fees. A fee may not be charged for a for-hire charter boat operator's license under this section. A person seeking a license through an agent may be charged an agent fee of \$2. A person seeking a license through a publicly accessible online electronic system for licensing may be charged an agent fee of \$1. A person seeking a license at an office of the department from a department employee may be charged an agent fee of \$1.

4. Eligibility. A for-hire charter boat operator's license may be issued only to an individual. A for-hire charter boat operator's license may be issued to an individual only if the individual:

A. Possesses a valid United States merchant marine document issued by the United States Coast Guard for an operator of uninspected passenger vessel or master or mate captain's license; or

B. Holds a current guide license for tidewater fishing as provided by rule pursuant to section 12853.

5. Violation. 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.

Sec. 6. Effective date. This Act takes effect January 1, 2026.