



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 418

S.P. 122

In Senate, February 10, 2011

**An Act To Create a Saltwater Fishing License for Owners of Docks,
Piers and Wharves**

(EMERGENCY)

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

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator TRAHAN of Lincoln.
Cosponsored by Senator: RECTOR of Knox.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** saltwater recreational fishing is an important activity for increasing
4 tourism and attracting visitors to the State; and

5 **Whereas,** both the fishing season and the tourism season commence early in the
6 year and it is necessary to increase access to saltwater recreational fishing to strengthen
7 tourism; and

8 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
9 the meaning of the Constitution of Maine and require the following legislation as
10 immediately necessary for the preservation of the public peace, health and safety; now,
11 therefore,

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

13 **Sec. 1. 12 MRSA §6032, sub-§1,** as enacted by PL 2009, c. 559, §1 and affected
14 by §4, is amended to read:

15 **1. Fund established.** The Marine Recreation Fishing Conservation and
16 Management Fund, referred to in this section as "the fund," is established within the
17 department. In addition to fees derived from the striped bass endorsement ~~and~~, the
18 commercial operator's license pursuant to section 6312, subsections 4 and 5 and the
19 saltwater fishing structure license pursuant to section 6312, subsection 5-A, the
20 commissioner may receive on behalf of the fund funds from any source. All money
21 received into the fund must be used for the purposes of the fund under subsection 2.
22 Unexpended balances in the fund at the end of the fiscal year do not lapse but must be
23 carried forward to the next fiscal year to be used for the purposes of the fund. Any
24 interest earned on the money in the fund must be credited to the fund. By February 1st of
25 each year, the commissioner shall report to the joint standing committee of the
26 Legislature having jurisdiction over marine resources matters on the amount of money
27 collected in the fund and all expenditures made from the fund in the previous fiscal year.

28 **Sec. 2. 12 MRSA §6312, sub-§3, ¶F,** as enacted by PL 2009, c. 559, §2 and
29 affected by §4, is amended to read:

30 F. A person that possesses a valid New Hampshire saltwater recreational fishing
31 license that meets the requirements of 50 Code of Federal Regulations, Sections
32 600.1415 and 600.1416 (2009) engaging in recreational saltwater fishing from the
33 State's southern border to Cape Neddick; ~~and~~

34 **Sec. 3. 12 MRSA §6312, sub-§3, ¶G,** as enacted by PL 2009, c. 559, §2 and
35 affected by §4, is amended to read:

36 G. A resident fishing on July 4th, Labor Day weekend or Memorial Day weekend;
37 and

38 **Sec. 4. 12 MRSA §6312, sub-§3, ¶H** is enacted to read:

