



STATE OF MAINE
DEPARTMENT OF
INLAND FISHERIES & WILDLIFE
353 WATER STREET
41 STATE HOUSE STATION
AUGUSTA ME 04333-0041



Dear Baitfish or Smelt Wholesaler,

Thank you for purchasing a Baitfish or Smelt Wholesale license. As you know the availability of baitfish and smelt is important to Maine anglers. That is why those of you that held a 2022 license were contacted for permission to share your contact information on our website. We want to make it easier for retailers to find wholesalers and for anglers to find legal live bait sources. The proposed website listing will list your name or business name, town located, phone number, email address, and which licenses are held. Our list of licensed wholesalers and retailers will go live in January. If you are interested in having your contact information posted publicly and have not responded to an email or letter, please call our information center at (207)287-8000.

We also need your help to manage the baitfish resources of Maine. In accordance with Title 12 Chapters 923, Section 12551-A, all holders of Baitfish or Smelt Wholesale licenses are required to submit an annual report of their harvest activity and catch information to the Department of Inland Fisheries & Wildlife by May 31st of each license year. The reporting deadline is consistent for both Baitfish and Smelt Wholesaler license holders. The bait fishing season typically spans two calendar years (often September through May). However, we expect your report to cover any harvests within the reporting period of May 1st through April 30th of the following year, and you must submit a report even if you did not harvest any fish. Failure to submit a report by the deadline will result in the suspension of your privilege to obtain a Baitfish or Smelt Wholesale license for one calendar year. The data you submit is for scientific purposes only and is needed to better manage these resources. It will remain confidential, not public record, though the commissioner may release data that is statistical or general in nature.

There are growing concerns within Maine related to the introduction of invasive fish, freshwater clams and other invertebrates, plants, and fish diseases. Some non-governmental organizations are advocating for additional restrictions on commercial harvest due to a perception that bait harvesting may be spreading invasive organisms. Our state supports incredible native fish and wildlife resources, and invasive species pose a large threat to these resources. It's not at all cliché to suggest that we are all in this fight together and need to do our part. Maine's bait industry has a lot to lose when invasive species

PHONE: (207) 287-8000

FISH AND WILDLIFE ON THE
WEB:
www.maine.gov/ifw

EMAIL ADDRESS:
ifw.webmaster@maine.gov

are spread, such as restricting the most efficient gears and harvest closures. Moreover, invasives increase your time culling bycatch, and they can compete with native fish to reduce harvests of desirable bait species and reduce recreational fishing demand for the bait. State laws prohibit transport of aquatic plants on your gears, boats, and trailers. It is also illegal to transport and introduce fish without appropriate permits. To help you comply with the laws and reduce the spread of invasive species, best management practices were developed and are included with this license. You are expected to adhere to these practices as a licensed commercial dealer. Embracing inspections and cleaning practices will not only help you comply with the laws, but also protect the livelihood of the commercial baitfish industry.

Report form(s) and instructions are included in your dealer packet. To ensure that you get credited for reporting:

1. Mail reports to: Jerrod Parker, Maine Dept. Inland Fisheries & Wildlife, 353 Water Street SHS 41 Augusta, ME 04333 **by May 31st each year.** You may also email your report to Jerrod.Parker@maine.gov.
2. Include your name, license #, type of license, address, and telephone # on all pages of your report form.
3. Include the name(s) and license number(s) of other dealers/helpers covered by your report or be sure they file their own report (see instructions for more details).
4. Remember to file a report **even if you did not harvest fish or were unable to fish during the current season.**

The Maine Department of Inland Fisheries and Wildlife thanks you for your cooperation and wishes you a safe and successful season. Please call me at (207) 557-0591 if you have any questions or need more information.

Sincerely,



Jerrod Parker

Fisheries Senior Resource Biologist

MAINE DEPARTMENT OF INLAND FISHERIES AND WILDLIFE
THE FOLLOWING LAKES ARE OPEN TO THE TAKING OF SMELTS UNDER THE
LIVE SMELT WHOLESALERS LICENSE
FOR CALENDAR YEAR 2023

ANDROSCOGGIN COUNTY

ALLEN P	GREENE
ANDROSCOGGIN L	WAYNE
BARTLETT P	LIVERMORE
BEAR P	HARTFORD
BRETTUNS P	LIVERMORE
CRYSTAL P	TURNER
NO NAME P	LEWISTON
RANGE P (UPPER)	POLAND
ROUND P	LIVERMORE
SABATTUS P	SABATTUS
TAYLOR P	AUBURN
WILSON P	TURNER
WORTHLEY P	POLAND

AROOSTOOK COUNTY

BIG MACHIAS L	T12 R8 WELS
BRACKETT L	WESTON
CARRY L	LITTLETON
CLAYTON L	T12 R8 WELS
CONROY L	MONTICELLO
ISLAND P	T14 R8 WELS
MATTAWAMKEAG L (UPPER)	ISLAND FALLS
MCNALLY P (UPPER)	T11 R10 WELS
PRATT L	T11 R9 WELS
ROSS L	LITTLETON
SLY BROOK L (FIRST)	NEW CANADA
SLY BROOK L (SECOND)	NEW CANADA
SPAULDING L	OAKFIELD
UMCOLCUS L	T7 R5 WELS
WYTOPITLOCK L	GLENWOOD PLT

CUMBERLAND COUNTY

BARKER P	SEBAGO
BAY OF NAPLES	NAPLES
COLD RAIN P	NAPLES
HIGHLAND (DUCK) L	FALMOUTH
HIGHLAND L	BRIDGTON
INGALLS (FOSTER'S) P	BRIDGTON
ISLAND P	HARRISON
NOTCHED P	RAYMOND
NUBBLE P	RAYMOND
RAYMOND P	RAYMOND
SEBAGO L (LITTLE)	GRAY
THOMAS P	RAYMOND
WATCHIC P	STANDISH
WOODS P	BRIDGTON

FRANKLIN COUNTY

BEAL P	MADRID TWP
COW P	LANG TWP
DUTTON P	KINGFIELD
FLATIRON P	DAVIS TWP
GULL P	DALLAS PLT
HALEY P	DALLAS PLT
HILLS P	PERKINS TWP
JIM P (LITTLE)	JIM POND TWP
LONG P	TOWNSHIP E
NORCROSS P	CHESTERVILLE
PARKER P	JAY
QUIMBY P	RANGELEY
SABBATH DAY P	TOWNSHIP E
SANDY RIVER P (LOWER)	SANDY RIVER PLT
SANDY RIVER P (MIDDLE)	SANDY RIVER PLT
SANDY RIVER P (UPPER)	SANDY RIVER PLT

SPENCER P
STAPLES P
TOOTHAKER P
TUFTS P

HANCOCK COUNTY

ALAMOOSOOK L
DEBEC P
GEORGES P
GILES P
GOOSE P
GRAHAM L
GREAT P
HARRIMAN P
HATCASE P
LEAD MTN P (LOWER & MIDDLE)
LEONARD L
LONG P
MOULTON P
MOUNTAINY P
PATTEN P (UPPER)
PORTER P
PUGHOLE P
ROCKY P
SABAO L (LOWER)
SABAO L (UPPER)
SOMES P
SPECTACLE P
WEBB P
WILLIAMS P

KENNEBEC COUNTY

ANDERSON P
ANDROSCOGGIN L
ANNABESSACOOK L
BERRY P
BUKER P
CHINA L
COBBOSSEECONTEE L
COBBOSSEECONTEE L (LITTLE)
COBBOSSEECONTEE S
COCHNEWAGON P
DAM P
DAVID P
DEXTER P
GOULD P
HALES P
HAMILTON P
HORSESHOE P
HUTCHINSON P
INGHAM P
JIMMIE P
JIMMY P
LOVEJOY P
LOVEJOY P
MCGRATH P
MESSALONSKEE L
MOODY P
NORTH & LITTLE P
PATTEE P
PLEASANT P
POCASSET L
PURGATORY P (LITTLE)
SALMON P
SAND P
SAVADE P
THREECORNERED P
THREEMILE P
TILTON P

TOWNSHIP D
TEMPLE
PHILLIPS
KINGFIELD

ORLAND
AMHERST
FRANKLIN
AURORA
DEDHAM
MARIAVILLE
GREAT POND
DEDHAM
DEDHAM
T28 MD
ELLSWORTH
BUCKSPORT
DEDHAM
DEDHAM
ELLSWORTH
T3 ND
T41 MD
T22 MD
T35 MD
T41 MD
MOUNT DESERT
OSBORN
EASTBROOK
BUCKSPORT

AUGUSTA
WAYNE
MONMOUTH
WAYNE
LITCHFIELD
CHINA
WEST GARDINER
WINTHROP
W.GARDINER
MONMOUTH
AUGUSTA
FAYETTE
WAYNE
SIDNEY
FAYETTE
BELGRADE
WEST GARDINER
MANCHESTER
MOUNT VERNON
MANCHESTER
LITCHFIELD
ALBION
FAYETTE
OAKLAND
SIDNEY
WINDSOR
ROME
WINSLOW
LITCHFIELD
WAYNE
LITCHFIELD
OAKLAND
MONMOUTH
WINDSOR
AUGUSTA
CHINA
FAYETTE

TOGUS P
TOLMAN P
TORSEY L
WEBBER P
WHITTIER P
WILSON P
WOODBURY P

KNOX COUNTY

CHICKAWAUKIE P
CRAWFORD P
HOBBS P
LERMOND P
LONG P
NORTH P
ROUND P
SENNEBEC P
SEVEN TREE P
SOUTH P
WASHINGTON P

LINCOLN COUNTY

BISCAY P
BOYD P
CLARY L
DEER MEADOW P
DUCKPUDDLE P
DYER LONG P
MCCURDY P
MEDOMAK P (LITTLE)
PEMAQUID P
THREE CORNER P
TRAVEL P

OXFORD COUNTY

ANASAGUNTICOOK L
BACK (5 KEZARS) P
BEAR P
BEAVER P
BEAVER P (LITTLE)
C POND
CLEMONS P (LITTLE)
HALL P
HANCOCK P
HOGAN P
HUTCHINSON P
LONG (MCWAIN) P
LONG P
LOVEWELL P
MIDDLE (5 KEZARS) P
MOOSE (LITTLE) P
NORTH P
RICHARDSON P (LOWER EAST)
RICHARDSON P (UPPER EAST)
RICHARDSON P (WEST)
SAND (WALDEN) P
SAND P
STEARNS P
SUNDAY P
TROUT P
VIRGINIA LAKE
WEBBER P
WHITNEY P

PENOBSCOT COUNTY

BOTTLE L
CARIBOU, EGG, LONG P
DAVIS P
DUCK L
ETNA P
GREEN P

AUGUSTA
AUGUSTA
MOUNT VERNON
VASSALBORO
ROME
WAYNE
LITCHFIELD

ROCKPORT
UNION
HOPE
HOPE
ISLE AU HAUT
WARREN
UNION
APPLETON
UNION
WARREN
WASHINGTON

BREMEN
BRISTOL
JEFFERSON
JEFFERSON
NOBLEBORO
JEFFERSON
BREMEN
WALDOBORO
DAMARISCOTTA
JEFFERSON
JEFFERSON

HARTFORD
STONEHAM
HARTFORD
MAGALLOWAY PLT
MAGALLOWAY PLT
C SURPLUS
HIRAM
PARIS
DENMARK
OXFORD
ALBANY TWP
WATERFORD
DENMARK
FRYEBURG
WATERFORD
WATERFORD
WOODSTOCK
ADAMSTOWN TWP
ADAMSTOWN TWP
ADAMSTOWN TWP
DENMARK
NORWAY
SWEDEN
MAGALLOWAY PLT
MASON TWP
STONEHAM
SWEDEN
OXFORD

LAKEVILLE
LINCOLN
T5 R7 WELS
LAKEVILLE
ETNA
T3 R1 NBPP

HAMMOND P
HERMON P
JO-MARY L (MIDDLE)
KEG L
MADAGASACAL P, BIG
MATTANAWCOOK P
PLEASANT (STETSON) L
PLYMOUTH P
PUG L (LOWER)
SAWTELLE DEADWATER
SEBASTICOOK L
SILVER L

PISCATAQUIS COUNTY

BEAR P
BIG BENNETT P
BIG MOOSE P
BIG PINE P
CENTER P
DEBSCONEAG L (SECOND)
DOUGHTY P (LOWER)
DOUGHTY P (UPPER)
DUCK P
FITZGERALD P
FROST P
GREENWOOD P (LITTLE)
GRINDSTONE P
HARLOW P
HUSSEY P
INDIAN P
JO-MARY L (MIDDLE)
JOHNSTON P
LOBSTER L (LITTLE)
MANHANCOCK P
MILLINOCKET L
MOOSE P (LITTLE)
ORDWAY P
PASSAMAGAMET L
PRONG P
RAINBOW L
ROACH P (SECOND)
ROACH P (FOURTH)
RUM P
SAWYER P
SECRET P
SHADOW P
SHALLOW L (LITTLE)
SNAKE P
SPECTACLE P
TOGUE P (UPPER)
TROUT P
YOKE PONDS

SAGADAHOC COUNTY

NEQUASSETT L

SOMERSET COUNTY

AUSTIN P (LITTLE)
BEAN P
BIG INDIAN P
CARRY P (EAST)
DOLE P
EAST P
FISH P
FISH P
FLAGSTAFF L
FOSS P
GRACE P
KNIGHTS P
LONG P

HAMPDEN
HERMON
T4, INDIAN PURCHASE (ALSO PISCATAQUIS CTY)
LAKEVILLE
BURLINGTON
LINCOLN
STETSON
PLYMOUTH
LAKEVILLE
T6 R7 WELS
NEWPORT
LEE

ELLIOTTSVILLE TWP
GUILFORD
MOOSEHEAD JUNCTION
T3 R13 WELS
SANGERVILLE
T2 R10 WELS
MONSON
MONSON
T4 R11 WELS
BIG MOOSE TWP
T3 R11 WELS
ELLIOTSVILLE
WILLIMANTIC
PARKMAN
BLANCHARD TWP
BOWDOIN COLLEGE
T4 INDIAN PURCHASE (ALSO PENOBSCOT COUNTY)
TA R10 WELS
LOBSTER TWP
SANGERVILLE
T7 R9 WELS
MOOSEHEAD JUNCTION
SHIRLEY
T1 R9 WELS
BEAVER COVE
RAINBOW TWP
T1 R12 WELS
SHAWTOWN
GREENVILLE
GREENVILLE
GREENVILLE
MOOSEHEAD JUNCTION
T7 R14 WELS
T7 R11 WELS
MONSON
T2 R9 WELS
MOOSEHEAD JUNCTION
TA R11 WELS

WOOLWICH

BALD MOUNTAIN TWP
PLEASANT RIDGE PLT
SAINT ALBANS
CARRYING PLACE TOWN
DOLE BROOK TWP
SMITHFIELD
MOXIE GORE
THORNDIKE
DEAD RIVER TWP
KINGSBURY PLT
UPPER ENCHANTED TWP
SQUARETOWN TWP
DOLE BROOK TWP

LONG P
LONG P
MISERY P
MOORE P
NORTH OTTER P
OAKS P
OTTER P
PARLIN P
RIPLEY P
ROWE POND
SEBOOMOOK L
SIBLEY P
WHITES P

WALDO COUNTY

COLEMAN P
ELLIS P
HALFMOON P
KNIGHT P
MIXER P
NORTON P
PASSAGASSAWAKEAG L
PITCHER P
QUANTABACOOK L
SANBORN P
STEVENS P
UNITY P

WASHINGTON COUNTY

BARROWS L
BEDDINGTON L
CHAIN L (FIRST)
CHAIN L (SECOND)
CHAIN L (THIRD)
CLIFFORD L
CRAWFORD L
GRAND FALLS FLOWAGE
HADLEY L
HOWARD L
MACHIAS L (THIRD)
MONTEGAIL P
ORANGE L
OXBROOK L (LOWER)
OXBROOK L (UPPER)
PATRICK L
PENNAMAQUAN L
ROCKY L
ROUND L
ROUND P
SCRAGGLY L
SILVER PUG L
SPRUCE MTN L
SUCKER L
WABASSUS L
WESTERN L
WOODLAND FLOWAGE

YORK COUNTY

BUNGANUT P
DEER P
SAND P
SWAN P

LONG POND TWP
TAUNTON & RAYNHAM
MISERY TWP
BRADSTREET TWP
BOWTOWN TWP
SKOWHEGAN
BOWTOWN TWP
PARLIN POND TWP
RIPLEY
PLEASANT RIDGE PLT
SEBOOMOOK TWP
CANAAN
PALMYRA

LINCOLNVILLE
BROOKS
PROSPECT
NORTHPORT
KNOX
LINCOLNVILLE
BROOKS
NORTHPORT
SEARSMONT
BROOKS
LIBERTY
UNITY

ALEXANDER
BEDDINGTON
T26 ED BPP
T26 ED BPP
T26 ED BPP
T27 ED BPP
CRAWFORD
PRINCETON
EAST MACHIAS
ROBBINSTON
T43 MD BPP
T19 MD BPP
WHITING
T6 R1 NBPP
T6 R1 NBPP
NO 14 TWP
CHARLOTTE
WHITING
CHARLOTTE
STEUBEN
T6 R1 NBPP
T26 ED BPP
BEDDINGTON
DANFORTH
T43 MD BPP
ROBBINSTON
BAILEYVILLE

LYMAN
HOLLIS
LIMINGTON
LYMAN

**Maine Department of Inland Fisheries and Wildlife
Commercial Smelt / Baitfish Wholesale Dealer Report Log**

Commercial smelt and baitfish wholesale dealers are required to report their harvest information to the Maine Department of Inland Fisheries and Wildlife. This information will allow IF&W to better manage smelt and baitfish resources throughout the State. The data submitted by reports are for scientific purposes only and confidential. However, the commissioner may release general summary information. Dealers should report their harvests using the provided reporting forms. Additional forms can be obtained by downloading them from the department website and printing them, requested and mailed by contacting the Department, or photocopied from the originals you received. Reports must be submitted to Jerrod Parker, 353 Water Street, Augusta, Maine 04333 by **May 31st of each year**, and any person who fails to report **will be prohibited from obtaining a Smelt Wholesale or Baitfish Wholesale license next year**. Remember to file a report **even if you did not fish during the current season**.

Instructions for Smelt Wholesale and Baitfish Wholesale Report Log

- Dealers need to report their:
 - **Full name**
 - **License number**
 - **Type of license** (If you hold a bait and smelt license, logs need to be reported separately.)
 - **Home address**
 - **Telephone number**
 - **Email address** (if applicable)
 - **Full name and License number** of other wholesalers that helped and are covered by your report. Ensure the helpers do not submit duplicate harvest information if they plan to submit their own reports.
- If you did not fish during the reporting period, check the “Did not fish this reporting period” box in the upper right of the form.
- Harvest data needs to be reported by fishing event and includes:
 - **Date** – Month/Day/Year of harvest
 - The reporting period runs May 1 – April 30
 - Record data for each date and waterbody. **DO NOT** combine harvests on multiple waters occurring the same day, or multiple harvests on a single water over multiple days.
 - **Water Name** – the name of the water fished.
 - **Town** – Town name where the water fished is located.
 - **County** – County name where the water fished is located.
 - **Gear Type** – the type of gear used on the date and water recorded (i.e. drop-net, dip-net, hook and line, baitfish trap, or seine). Note: The Smelt Wholesale and Baitfish Wholesale licenses differ on the types of gear allowed.
 - **# Of Gears Fished** – if applicable, record the number of nets/traps fished on the date and water recorded. If multiple gear types were used on the same date and water, create separate log entries to record the amount harvest by each gear.
 - **Quantity Harvested** – the total harvested on the date and water specified. Columns are available to report the quantity in pounds, quarts, dozens, or the number of individual fish.
 - Report zero catch days when you fished but no fish were harvested, as this information is also valuable to the department.
 - **Species Harvested** – record all of the species harvested on the date and water specified.
 - **Other Species Observed** – record any observations about other species that were captured and released on the date and water specified (for example: “*bullhead and sunfish*”).

Maine Department of Inland Fisheries & Wildlife Report Log for Smelt Wholesale or Baitfish Wholesaler License Holders

Wholesaler Information		<input type="checkbox"/> Did not harvest fish this reporting period	
Last Name:	First Name:	License #:	<input type="checkbox"/> Smelt or <input type="checkbox"/> Baitfish
Address:		Telephone #:	Email:
Full Name(s) & License # (s) of other dealers/helpers covered by this report (if applicable):			
<small>Note: Do not report Smelt Wholesale and Baitfish Wholesale information on the same form. If you possess both licenses, you must submit a separate form for each</small>			

Date (MM/DD/YEAR)	Water Name	Town	County	Gear Type	# of Gears Fished	Quantity Harvested				Species Harvested	Other Species Observed
						Lbs.	Qts.	Doz.	Indiv.		

SIGNATURE: _____

Reporting deadline: May 31st each year. Report all harvest accrued from May 1 (previous year) - April 30 (current year)

Mail reports to: Jerrod Parker, Maine Department of Inland Fisheries & Wildlife, 353 Water Street SHS 41, Augusta, Maine 04333 Or Email to: Jerrod.Parker@maine.gov by May 31st each year.
 If you have questions, please call (207) 557-0591 or email: Jerrod.Parker@maine.gov

The following sections are from the Maine Revised Statutes: Title 12 and Title 38. They are included here as a courtesy and to provide information on laws pertaining to the dealing of live smelts and baitfish. Note that these are only a subset of all laws contained within MRS: Title 12 and 38.

§12551-A. DEALING IN LIVE SMELTS AND BAITFISH

1. Definition. For purposes of this section, "business facility" means a fixed place of business and does not include a motor vehicle or trailer. Live smelts or baitfish that are held in or on a motor vehicle or trailer by a person licensed under this section are considered in transport even if the motor vehicle or trailer may be temporarily placed at a specific location by the licensee, or the licensee's designee, for the purpose of selling live smelts or baitfish to anglers.

2. License required. A person may not:

A. Possess for resale, sell or offer to sell live smelts, *Osmerus mordax*, or live baitfish, as defined in section 10001, subsection 6, without an appropriate and valid license issued under subsection 3;

B. Engage in taking or assist in taking live baitfish for resale from inland waters without a valid baitfish wholesaler's license;

C. Engage in taking or assist in taking live smelts for resale from inland waters without a smelt wholesaler's license;

D. Sell live smelts or baitfish from more than one facility without an appropriate and valid license for each facility; or

E. When licensed under this section, receive, possess for resale, sell or offer to sell gift baitfish or gift smelts.

Each day a person violates this subsection, that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable license fee must be imposed.

2-A. License required.

3. Issuance; eligibility. The commissioner may issue to a resident or nonresident upon payment of the appropriate fee:

A. A live bait retailer's license that permits a person to possess for resale, sell or offer to sell live smelts and baitfish;

B. A baitfish wholesaler's license that permits a person to take and possess for resale, sell or offer to sell live baitfish; and

C. A smelt wholesaler's license that permits a person to take and possess for resale, sell or offer to sell live smelts.

4. Schedule of fees. The fees for licenses under this section are:

A. For a live bait retailer's license, \$16;

B. For a baitfish wholesaler's license, \$26; and

C. For a smelt wholesaler's license, \$71.

5. Live bait retailer's license authorizations and restrictions. The provisions of this subsection apply to the selling of live smelts and baitfish under a live bait retailer's license.

A. The holder of a live bait retailer's license may:

- (1) Sell live baitfish or smelts acquired from a person licensed under this section to deal in live baitfish or smelts;
- (2) Designate others to assist in selling live smelts and baitfish at the license holder's business facility;
- (3) Transport live smelts and baitfish or designate another to transport live smelts and baitfish on the license holder's behalf; and
- (4) Possess more than the daily bag limit of smelts, provided that the smelts were acquired from a person licensed under this section to deal in live smelts.

B. The holder of a live bait retailer's license:

- (1) May not take or possess for the purposes of retail sale live baitfish or smelts from the inland waters of the State or private ponds;
- (2) Shall present a receipted invoice, bill of lading, bill of sale or other satisfactory evidence of the lawful possession of live baitfish or smelts for retail sale to any agent of the commissioner upon request; or
- (3) May not possess at that person's place of business any species of fish that may not legally be sold as bait.

Each day a person violates this paragraph that person commits a class E crime.

6. Baitfish wholesaler's license authorizations and restrictions. The provisions of this subsection apply to the taking and selling of baitfish under the baitfish wholesaler's license.

A. The holder of a baitfish wholesaler's license may:

- (1) Take for the purpose of sale live baitfish from the inland waters of the State or from private ponds;
- (2) Use particles of food for the purpose of luring baitfish to a baitfish trap, a dip net, a drop net, a lift net or a bag net;
- (3) Designate others to assist the holder in selling live baitfish at the holder's business facility; and
- (4) Transport live baitfish or designate another to transport live baitfish on the license holder's behalf.

B. The holder of a baitfish wholesaler's license may not:

- (1) When engaged in taking, or assisting in taking, live baitfish for resale from inland waters, fail to exhibit a baitfish wholesaler's license to any agent of the commissioner upon request;
 - (2) Take baitfish other than by use of a seine as defined in section 10001, subsection 55; a baitfish trap as defined in section 10001, subsection 7; a dip net, a drop net, a lift net or a bag net; or by hook and line;
 - (3) Attempt to take live bait for resale from the inland waters of the State by fishing through the ice using drop nets unless the holder marks all holes made in the ice by the holder for that purpose. The holes must be marked by suspending at least one strand of fluorescent biodegradable tape at least 3 feet above the ice around the entire perimeter of the hole so that the tape is visible from all sides;
 - (4) Take eels;
 - (5) Take or sell suckers, Genus *Catostomus*, greater than 10 inches in length between April 1st and September 30th of each year; or
 - (6) Possess at that person's place of business any species of fish that may not legally be sold as bait.
- Each day a person violates this paragraph that person commits a class E crime.

7. Smelt wholesaler's license authorizations and restrictions. The provisions of this subsection apply to the taking and selling of live smelts under the smelt wholesaler's license.

A. The holder of a smelt wholesale dealer's license may:

- (1) Take live smelts for resale from inland waters or private ponds. The taking of live smelts from inland waters must be in accordance with general rules adopted by the commissioner in regard to the taking of smelts. Except as provided in paragraph B, the holder of a smelt wholesaler's license shall comply with the same daily bag limit and the same tackle restrictions that apply to all other anglers and is subject to the same penalties for violations of those limits and restrictions. This subparagraph does not apply to a holder of a fish cultivator license as provided under section 12507;
- (2) Beginning on the date the body of water on which the smelts are taken is open to ice fishing and ending March 31st annually, use a drop net, a lift net or hook and line to take up to 8 quarts of smelts through man-made openings in the ice while fishing on the ice from specific inland waters designated by the commissioner. A dip net may be used in conjunction with the above methods to assist with the handling and transporting of smelts. A licensee may keep the daily bag limit alive. The daily bag limit established under this subparagraph is for a 24-hour period, beginning at noon on a given day and ending at 11:59 a.m. the following day;
- (2-A) In waters naturally free of ice, take smelts from noon to 2:00 a.m. by the use of a dip net in the usual and ordinary way. The commissioner may establish the daily bag limit by rule and a licensee may keep the daily bag limit of smelts alive. The daily bag limit established under this subparagraph is for a 24-hour period, beginning at noon on a given day and ending at 11:59 a.m. the following day. The commissioner may shorten the noon to 2:00 a.m. smelt fishing time frame by rule for enforcement or conservation purposes;
- (3) Use artificial light for the purpose of luring smelts to a drop net or a lift net;
- (4) Transport or possess at the holder's business facility more than the daily bag limit of smelts provided that the smelts were taken by the license holder in accordance with this section or acquired from a person licensed under this section to deal in live smelts;
- (5) Designate others to assist in selling live smelts at the holder's business facility; and
- (6) Transport or designate others to transport on the license holder's behalf live smelts in accordance with this subsection.

B. The holder of a smelt wholesale dealer's license may not:

- (1) When engaged in taking, or assisting in taking, live smelts for resale from inland waters, fail to exhibit the license to any agent of the commissioner upon request;
- (2) Take multiple bag limits from waters governed by general rules regulating the taking of smelts in order to attain the 8-quart limit of smelts described in paragraph A, subparagraph (2);
- (3) Use a seine to take smelts;
- (4) Transport or possess at the holder's business facility more than the daily bag limit of smelts at any time unless the smelts were acquired in accordance with paragraph A, subparagraph (4). If the smelts were purchased from another person, the license holder must present a receipted invoice, bill of lading or bill of sale to any agent of the commissioner upon request;
- (5) Transport from an inland water source to the licensee's place of business more than 8 quarts of live smelts;
- (6) Permit any person to transport live smelts on the license holder's behalf directly from an inland water source;
- (7) Attempt to take from the inland waters of the State live smelts for resale using drop nets through the ice unless the license holder marks all holes made in the ice by that license holder for that purpose. The holes must be marked either by evergreen boughs placed around the hole or by suspending at least one strand of fluorescent biodegradable tape at least 3 feet above the ice around the entire perimeter of the hole so that the tape is visible from all sides;
- (8) Take smelts unless the holder uses an operable commercially manufactured number 14 fish

grader to sort smelts by size during the taking of smelts. The holder shall liberate immediately all undersized smelts alive into the waters from which they were taken. For the purpose of this subparagraph, a commercially manufactured number 14 grader is a grader having a minimum grate size of 14/64 inches and that allows smelts to pass through at least 2 sides and the bottom of the grader. The commissioner may adopt rules to amend the grate size restrictions under this subparagraph if the commissioner determines such rules are necessary for conservation or enforcement purposes;

- (9) Possess at that person's place of business any species of fish that may not legally be sold as bait;
- (10) Use particles of food or any other type of bait or lure except light to lure smelts to a drop net or a lift net; or
- (11) Use a dip net to take smelts unless that dip net meets the requirements under section 10001, subsection 12-A.

Each day a person violates this paragraph that person commits a Class E crime.

For purposes of this subsection, live smelts are considered in possession of the licensee once the smelts have been removed from the inland waters and placed in a container.

8. Effect of revoked or suspended license. A person whose license to deal in live smelts and baitfish has been revoked or suspended pursuant to section 10902 may not assist another dealer in selling or transporting live smelts and baitfish.

A person who violates this subsection commits a class E crime.

9. Inspection of live smelts and baitfish. A person licensed under this section who possesses live smelts or baitfish at a fixed place of business shall make those fish available for inspection by a warden or a department fisheries biologist during normal business hours. A person licensed under this section who possesses live smelts or baitfish at a location other than the licensee's fixed place of business shall make those fish available for inspection by a warden or a department fisheries biologist at any time, upon request.

9-A. Record inspection. Records retained as required in this section must be open for inspection by the commissioner or the commissioner's agent.

10. Reports required. A person licensed under this section must submit a report on forms provided by the department with the following information: name and location, including the town and county of waters fished; date fished; total catch; gear type; and number of nets used. The report must be submitted by May 31st of each year. A person who has not submitted this report may be prohibited from obtaining a license under this section. A person who is prohibited from obtaining a license under this section may submit an appeal to the commissioner.

All data submitted as part of the report are for scientific purposes only and are confidential and not a public record within the meaning of Title 1, chapter 13, subchapter 1, except that the commissioner may disclose data collected under this subsection if that data are released in a form that is statistical or general in nature.

[§419-C. Prevention of the spread of invasive aquatic plants](#)

1. Prohibition. A person may not:

A. Transport any aquatic plant or parts of any aquatic plant, including roots, rhizomes, stems, leaves or seeds, on the outside of a vehicle, boat, personal watercraft, boat trailer or other equipment on a public road;

B. Possess, import, cultivate, transport or distribute any invasive aquatic plant or parts of any invasive aquatic plant, including roots, rhizomes, stems, leaves or seeds, in a manner that could cause the plant to get into any state waters;

C. After September 1, 2000, sell or offer for sale in this State any invasive aquatic plant; or

D. Fail to remove any aquatic plant or parts of any aquatic plant, including roots, rhizomes, stems, leaves or seeds, from the outside of a vehicle, boat, personal watercraft, boat trailer or other equipment on a public road.

2. Penalty. A person who violates this section commits a civil violation for which a forfeiture not to exceed \$500 may be adjudged for the first violation and a forfeiture not to exceed \$2,500 may be adjudged for a subsequent violation.

Maine Dept. of Inland Fisheries and Wildlife (MDIFW)

General procedures to minimize the spread of aquatic plants, animals, and pathogens

Since the introduction and spread of certain aquatic animals and plants to our inland waters has the potential to do great harm, **it is illegal** to knowingly transfer them from one body of water to the next. These guidelines are designed to minimize the potential spread of aquatic plants, animals, and pathogens by those individuals that work on the inland waters of our state.

Personnel working with aquatic organisms in state waters should maintain a high standard of biosecurity. Biosecurity is defined as, “practical steps that can be taken to minimize the spread of unwanted organisms.” Preventing the spread of aquatic invasive species and diseases of aquatic animals amongst state waters is a directive of the highest priority.

- Brush and use water at the loading/unloading site of the water body to rinse soil, biofilms, egg masses, and other biota before removing gear and equipment for transport. Cleaner equipment is more effectively disinfected.
- Always visually inspect and remove by hand all plants and organisms from gear and equipment before leaving the work site.
- Gear and equipment must be disinfected before transporting to the next water. The disinfection area should be established away from surface waters of the state and other environmentally sensitive areas that could be harmed by disinfection work. Ideally the disinfection area should be of excellent drainage or percolation at a location in which a garden hose is accessible.

Disinfection of gear and Equipment

- Vehicles, ATV's, snowmobiles - Trucks, ATV's, and snowmobiles should be washed at car wash facilities. Washing frequency should be reasonably periodic.
- Boats, trailers - Remove drain plug and drain bilge water from boats at loading/unloading site of the water body. Boats and trailers can be washed at car wash facilities. Washing frequency should be reasonably periodic.
- Personal equipment and gear – Gear and Equipment should be sprayed with a hose to remove soil and organics prior to disinfection. Disinfection for most equipment is best accomplished with submersion in a solution of household bleach and water at a concentration of 1 oz. bleach/ gallon of water in a large trash can. Non-water absorbing gear and equipment can be sprayed with disinfectant to thoroughly soak all surfaces. Use of equipment that comes in constant contact with waters of the state, such as waders, dip nets, seines, gloves, etc., should be allowed to set in solution for 10 minutes before rinsing. Chlorinated water should be neutralized with sodium thiosulfate prior to disposal. Disinfection water should never be dumped into waters of the state. ***Personal protection gear such as gloves and eye protection should always be worn and equipment manufacturer information for proper cleaning method should be consulted.*** Virkon per manufacturer directions or rubbing alcohol can be substituted where appropriate.
- Water absorbing equipment and gear made with porous materials- To be effective, disinfection should be by submersion with a disinfectant as described above or as an alternative, nets can be soaked in a salt brine (3%) overnight to destroy freshwater aquatic organisms. When possible, nets are to be cleaned, brined, rinsed, and dried in sunlight between uses.

Reporting Requirements

Aquatic animals - Identification of invasive aquatic species should be reported to MDIFW. Contact: Francis Brautigam (207) 287-5263.

Aquatic plants - Unknown species or plants known to be aquatic nuisance species should not be transported unless placed in a sealed container. Small specimens may be transported to the Maine Dept. of Environmental Protection for species identification. Contact: John McPhedran (207) 287-2813.