

STATE OF MAINE
DEPARTMENT OF THE SECRETARY OF STATE

Notice of Agency Rulemaking Proposal

AGENCY: Department of Marine Resources

CHAPTER NUMBER AND RULE TITLE: Chapter 43 Bluefish Recreational Bag Limit

TYPE OF RULE: Routine Technical

PROPOSAL FILING NUMBER: [\[Leave Blank - Assigned by the Department of the Secretary of State\]](#)

BRIEF SUMMARY: This proposed rulemaking would modify the bluefish recreational possession limit to align with recent changes adopted by the National Marine Fisheries Service (NMFS) under NOAA. Bluefish is regulated by the Mid-Atlantic Fishery Management Council (MAFMC) and the Atlantic States Marine Fisheries Commission (ASMFC). The 2025 management track stock assessment projected that the bluefish stock would reach its rebuilding target in 2025, allowing for a higher recreational bag limit. As a result, this proposed rulemaking increases the bluefish possession limit from 3 fish to 5 fish, in alignment with the private angler bag limit established by MAFMC and ASMFC.

PUBLIC HEARING: May 26, 2026, 4:00 p.m. at DMR's Augusta office (Marquardt Building, 32 Blossom Lane, rm 118) and remotely via Microsoft Teams. Remote access information is posted to DMR's website under "Meetings."

COMMENT DEADLINE: June 5, 2026

CONTACT PERSON FOR THIS FILING:

Name: Deirdre Gilbert

Mailing Address: 21 State House Station, Augusta, ME 04333

Telephone Number: 207-624-6553

Fax Number: 207-624-6024

TTY Number: 877-243-2823, TTY 711

Email Address: DMR.rulemaking@maine.gov

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT: Same

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: None

STATUTORY AUTHORITY FOR THIS RULE: 12 M.R.S. §6171

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED: Same

AGENCY WEBSITE: <https://www.maine.gov/dmr/rules-enforcement/regulations-rules>

EMAIL ADDRESS FOR OVERALL AGENCY RULEMAKING LIAISON:

DMR.rulemaking@maine.gov

Choose one of the following:

The summary provided above is for publication in both the newspaper and website notices.

DEPARTMENT OF MARINE RESOURCES

CHAPTER 43 – BLUEFISH

TITLE INDEX

43.01 Bluefish Limits

Chapter 43: Bluefish

43.01 BLUEFISH LIMITS**1. Method of Taking****A. Daily and Possession Limits**

Except as provided in 43.01(A)(1) it shall be unlawful for any person to take, catch, kill, or possess more than ~~3~~ 5 bluefish per day.

(1) Exemptions

The daily limit and possession limit shall not apply to persons licensed under 12 M.R.S. §6501 and §6421. The possession limit shall not apply to persons licensed under 12 M.R.S. §6851 and §6852.

B. It is unlawful to use multiple (more than two) barbed or barbless treble hooks on any artificial lure or flies while fishing for bluefish.

C. It is unlawful to use any hook other than a circle hook when using bait. For purposes of this chapter the definition of circle hook means "a non-offset hook with a point that points 90° back toward the shaft of the hook".

For the purposes of this chapter, bait is defined as any marine or freshwater organism live or dead, whole or parts thereof, and earthworms, including but not limited to, night crawlers (*Lumbricus terrestris*).

D. Any striped bass killed during the take of bluefish becomes part of the daily bag limit in accordance with Chapter 42.02.

STATE OF MAINE
DEPARTMENT OF THE SECRETARY OF STATE

Rulemaking Fact Sheet

(see 5 M.R.S. § 8057-A(1))

Agency: Department of Marine Resources

Name, Address, Telephone Number, and Email Address of Agency Contact Person:

Deirdre Gilbert

21 State House Station, Augusta, ME 04333-0021

(207) 624-6553

DMR.rulemaking@maine.gov

Chapter Number and Rule Title: Chapter 43: Bluefish Recreational Bag Limit

Type of Rule: Routine Technical

Statutory Authority: 12 M.R.S. 6171

Public Hearing(s): May 26, 2026, 4:00 p.m. at DMR's Augusta office (Marquardt Building, 32 Blossom Lane, rm 118) and remotely via Microsoft Teams.

Comment Deadline(s): June 5, 2026

Principal Reason(s) or Purpose for Proposing this Rule [see 5 M.R.S. § 8057-A(1)(A)]:

This proposed rulemaking would modify the bluefish recreational possession limit to align with recent changes adopted by the National Marine Fisheries Service (NMFS) under NOAA. Bluefish is regulated by the Mid-Atlantic Fishery Management Council (MAFMC) and the Atlantic States Marine Fisheries Commission (ASMFC). The 2025 management track stock assessment projected that the bluefish stock would reach its rebuilding target in 2025, allowing for a higher recreational bag limit. As a result, this proposed rulemaking increases the bluefish possession limit from 3 fish to 5 fish, in alignment with the private angler bag limit established by MAFMC and ASMFC.

Is Material Incorporated by Reference into the Rule [see 5 M.R.S. § 8056(2-A)]? No

Brief Summary of Relevant Information Considered During Development of the Rule (including up to 3 primary sources relied upon)[see 5 M.R.S. §§ 8057-A(1)(E) & 8063-B]:

This rule considered the NOAA Fisheries final rule issued in the Federal Register (50 CRF Part 648 [Docket No. 260209-0039]) which set specifications for fishing years 2026-2027 bluefish recreational fishery management measures. Additionally, this rule considered the MAFMC and ASMFC decisions which increased the recreational bag limits by 2-fish, by mode. This increased the private angler bag limit to 5-fish and the for-hire sector limit to 7-fish. In considering the increase, DMR increased the state bag limit by 2-fish, which does not include a mode split.

Estimated Fiscal Impact of the Rule [see 5 M.R.S. § 8057-A(1)(C)]:

Enforcement of this amendment would not require additional activity in the agency. Existing enforcement personnel will monitor compliance during routine patrols.

FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:

Economic Impact, Whether or Not Quantifiable in Monetary Terms [see 5 M.R.S. § 8057-A(2)(A)]:

Click or tap here to enter text.

Individuals, Major Interest Groups and Types of Businesses Affected and How They Will Be Affected [see 5 M.R.S. § 8057-A(2)(B)]:

Click or tap here to enter text.

Benefits of the Rule [*see* 5 M.R.S. § 8057-A(2)(C)]: