

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1352

H.P. 875

House of Representatives, April 1, 2025

An Act to Amend Provisions Regarding the Scallop Fishery License Apprentice Program, Licensing and Limited Access Areas

Received by the Clerk of the House on March 28, 2025. Referred to the Committee on Marine Resources pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script, reading "R B. Hunt".

ROBERT B. HUNT

Clerk

Presented by Representative FAULKINGHAM of Winter Harbor.
Cosponsored by Senator MOORE of Washington and
Representatives: FARRIN of Jefferson, HEPLER of Woolwich, RIELLY of Westbrook,
SIMMONS of Waldoboro, THORNE of Carmel.

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

2 **Sec. 1. 12 MRSA §6702, sub-§7**, as enacted by PL 2019, c. 107, §1, is amended to
3 read:

4 **7. Apprentice license.** The department may adopt rules to establish an apprentice
5 program for entry into the scallop fishery that includes an apprentice license for a resident
6 who is 18 years of age or older to engage in dragging for scallops under the supervision of
7 a person licensed under this section. An apprentice program under this subsection may not
8 be conducted through a lottery. The fee for an apprentice scallop dragging license is \$250.
9 The commissioner shall deposit license fees collected in this subsection into the Scallop
10 Research Fund under section 6729-A. Rules adopted pursuant to this subsection are routine
11 technical rules as defined in Title 5, chapter 375, subchapter 2-A.

12 **Sec. 2. 12 MRSA §6706, sub-§3**, as amended by PL 2019, c. 107, §2, is further
13 amended to read:

14 **3. Scallop license limited entry system.** Notwithstanding subsection 2, the
15 commissioner shall establish by rule a limited entry system under which a person who did
16 not hold a hand fishing scallop license or a scallop dragging license in the previous calendar
17 year may become eligible to obtain that license. A new entrant may be eligible for a hand
18 fishing scallop license or a scallop dragging license only upon the termination of an existing
19 hand fishing scallop license or a scallop dragging license. The rules for a limited entry
20 system must include provisions for the method and administration of the system. Rules
21 adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter
22 375, subchapter 2-A.

23 **Sec. 3. 12 MRSA §6706, sub-§5**, as enacted by PL 2021, c. 27, §1, is repealed.

24 **Sec. 4. Department of Marine Resources to adopt rules regarding limited**
25 **and rotational access to scallop harvesting areas.** By January 1, 2026, the
26 Department of Marine Resources shall adopt rules that allow all holders of hand fishing
27 scallop licenses and scallop dragging licenses equal access to limited access scallop fishing
28 areas during the same period and not on a rotational basis. Rules adopted pursuant to this
29 section are routine technical rules under the Maine Revised Statutes, Title 5, chapter 375,
30 subchapter 2-A.

31 **Sec. 5. Department of Marine Resources to amend rules to replace scallop**
32 **apprentice program conducted through lottery.** By October 1, 2026, the
33 Department of Marine Resources shall adopt rules replacing the apprentice program for
34 entry into the scallop fishery, which includes an apprentice license, conducted through a
35 lottery with an apprentice program for entry into the scallop fishery, which includes an
36 apprentice license, not conducted through a lottery. Rules adopted pursuant to this section
37 are routine technical rules under the Maine Revised Statutes, Title 5, chapter 375,
38 subchapter 2-A.

39 **Sec. 6. Effective date.** Those sections of this Act that amend the Maine Revised
40 Statutes, Title 12, section 6702, subsection 7 and that repeal Title 12, section 6706,
41 subsection 5 take effect October 1, 2026.

1 **SUMMARY**

2 This bill amends provisions regarding the scallop fishery by:

3 1. Prohibiting an apprentice program for entry into the scallop fishery to be conducted
4 through a lottery;

5 2. Allowing a new entrant to be eligible for a hand fishing scallop license or a scallop
6 dragging license only upon the termination of an existing hand fishing scallop license or a
7 scallop dragging license; and

8 3. Directing the Department of Marine Resources to adopt rules to allow all holders of
9 hand fishing scallop licenses and scallop dragging licenses equal access to limited access
10 scallop fishing areas during the same period and not on a rotational basis.