

MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 499

H. P. 347

House of Representatives, January 18, 1961

Referred to Committee on Sea and Shore Fisheries. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Prince of Harpswell.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Regulating Catching Lobsters While Swimming or Diving.

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

R. S., c. 37-A, § 68-A, additional. Chapter 37-A of the Revised Statutes, as enacted by section 1 of chapter 331 of the public laws of 1959, is amended by adding a new section to be numbered 68-A, to read as follows:

'Sec. 68-A. Catching, killing or possessing lobsters while swimming, diving or wading illegal. It is unlawful for any person, while wading, swimming, skin diving, SCUBA diving or being submerged in any manner in any coastal waters of the State, to catch, kill or possess any lobster.

I. Transporting lobsters, diving equipment; prima facie evidence. If any person is found transporting or possessing any lobster on or near the shores or on the coastal waters of the State while in possession of diving equipment of any description it is prima facie evidence said lobster was taken in violation of this section.

II. Causing or assisting unlawful. It is unlawful for any person, firm or corporation to cause another to so catch, kill or possess any lobster, and it is unlawful to aid or assist another in any manner to so catch, kill or possess any lobster.

III. Diving equipment on lobster boat illegal; prima facie evidence. It is unlawful for the operator of any boat, while the boat is engaged in lobster fishing, to cause, allow or suffer any diving equipment of any description to be on or about the boat.

A. The presence of lobster traps, lobster bait or other lobster fishing equipment on a boat is prima facie evidence that the boat is engaged in lobster fishing for the purposes of this subsection.'