

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 900

S. P. 306

In Senate, February 19, 1971

Referred to Committee on Fisheries and Wildlife. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Graham of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT to Repeal the Oversize Lobster Law.

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

Sec. 1. R. S., T. 12, § 445I, amended. The first 2 sentences of section 445I of Title 12 of the Revised Statutes are amended to read as follows:

The commissioner shall provide a measure, designated as the state ~~double gauge~~ lobster measure, for determining the legal length of lobsters. The commissioner shall cause ~~one gauge on~~ the measure to be $3\frac{3}{16}$ inches in length ~~and the other 5 inches in length.~~

Sec. 2. R. S., T. 12, § 445I, sub-§ 1, amended. Subsection 1 of section 445I of Title 12 of the Revised Statutes, as amended by section 5 of chapter 408 of the public laws of 1969, is further amended to read as follows:

1. **Short lobsters illegal; method of measurement; penalty.** It is unlawful for any person to buy, sell, expose for sale, give away, transport, ship or have in possession any lobster, alive or dead, cooked or uncooked, which is less than $3\frac{3}{16}$ inches in length as determined by the state ~~double gauge~~ lobster measure by measuring from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell.

Sec. 3. R. S., T. 12 § 445I, sub-§ 2, repealed. Subsection 2 of section 445I of Title 12 of the Revised Statutes, as amended by section 5 of chapter 408 of the public laws of 1969, is repealed.

Sec. 4. R. S., T. 12, § 445I, sub-§ 3, amended. Subsection 3 of section 445I of Title 12 of the Revised Statutes is amended to read as follows:

3. **Exception if lobster immediately liberated alive when caught.** If any lobster which is shorter than $3 \frac{3}{16}$ inches in length, ~~or longer than 5 inches in length~~ as determined by the method of measuring provided in ~~subsections 1 and 2~~ subsection 1, or is mutilated in such a manner as to make accurate measurement impossible, is immediately liberated when caught, the person who so liberates the lobster is excused from the unlawful possession of that lobster.

Sec. 5. R. S., T. 12, § 4455, sub-§ 2, repealed. Subsection 2 of section 4455 of Title 12 of the Revised Statutes is repealed.

STATEMENT OF FACT

This Act would repeal the so-called oversize lobster measure, the present 5-inch body length requirement, and the part of section 4455 which pertains to oversize tail sections of lobster meat.