

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 1578

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H. P. 1221

House of Representatives, March 26, 1973

Referred to Committee on Marine Resources. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Greenlaw of Stonington.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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**AN ACT to Change the Lobster License to the Boats, Increase License Fees  
and to Limit the Number of Licenses.**

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

**Sec. 1. R. S., T. 12, § 4404, amended.** The first paragraph of section 4404 of Title 12 of the Revised Statutes is amended to read as follows:

It is unlawful for any person to fish for, take or catch any lobsters or crabs in any manner without having a ~~current written license~~ **boat currently licensed** as provided in this section.

**Sec. 2. R. S., T. 12, § 4404, sub-§ 2, amended.** Subsection 2 of section 4404 of Title 12 of the Revised Statutes is amended to read as follows:

**2. License designation; general scope.** The license, designated as a lobster and crab fishing license, entitles the holder to operate a boat and traps to take lobsters and crabs when and where it is otherwise lawful to take them. **A boat may only be licensed to fish in one of the lobster fishing districts as established and described in section 4467. The applicant shall specify on his application the lobster fishing district number in which he wishes to operate and state his boat registration or documentation number.**

**Sec. 3. R. S., T. 12, § 4404, sub-§ 2-A, additional.** Section 4404 of Title 12 of the Revised Statutes is amended by adding a new subsection 2-A, to read as follows:

**2-A. Student license designation; general scope.** High school students may apply to license a boat for the period of June 1st to September 30th preceding their 4 years of high school and they may apply to the commis-

sioner for an extension if they become full-time college students. The scope of the license is the same as subsections 2 and 3, except that a student may only fish 150 lobster traps.

**Sec. 4. R. S., T. 12, § 4404, sub-§ 5, amended.** Subsection 5 of section 4404 of Title 12 of the Revised Statutes is amended to read as follows:

**5. License fee.** The fee to license a boat for a lobster and crab fishing license is ~~the~~ \$50, except if a person wishes to license his boat to include one or more assistants besides the owner or operator he shall so state on his application and it shall require an additional fee of \$50 for each assistant desired, which the applicant shall enclose with his application.

**Sec. 5. R. S., T. 12, § 4404, sub-§ 5-A, additional.** Section 4404 of Title 12 of the Revised Statutes is amended by adding a new subsection 5-A, to read as follows:

**5-A. Student license fee.** The fee for a student to license a boat for a lobster and crab fishing license is \$25, which the applicant shall enclose with his application.

**Sec. 6. R. S., T. 12, § 4404, sub-§ 6, amended.** Subsection 6 of section 4404 of Title 12 of the Revised Statutes is amended to read as follows:

**6. Lobster Conservation Fund.** ~~Five dollars of the license fee~~ All revenue received from ~~each \$70 for~~ lobster and crab fishing licenses shall be allocated to the Lobster Conservation Fund as heretofore established.

**A.** The commissioner may expend ~~any and all~~ 20% of the money in the Lobster Conservation Fund from time to time for the purpose of propagation of lobsters, and for purchasing seed lobsters from Maine lobster pounds and female lobsters from Maine wholesale lobster dealers and liberating said lobsters in Maine coastal waters.

**B.** The Lobster Conservation Fund does not lapse. Fees so collected or allocated in any one year may be used in the same or any succeeding year.

**C.** Forty percent of the Lobster Conservation Fund shall be used for lobster research.

**D.** Forty percent of the Lobster Conservation Fund shall be used by the coastal warden service for additional enforcement of lobster related laws.

**Sec. 7. R. S., T. 12, § 4404, sub-§ 7, amended.** Subsection 7 of section 4404 of Title 12 of the Revised Statutes is amended to read as follows:

**7. Certain persons considered as fishing.** Any person, assisting or helping another in lobster or crab fishing, either by operating the boat or in attending to lobster or crab traps or pots, is considered as fishing and the boat on which he is assisting must have a current license which covers an assistant as outlined under ~~this section~~ subsection 5. All assistants helping another in the act of lobster or crab fishing must meet the residence requirements as established in this section.

**Sec. 8. R. S., T. 12, § 4404, sub-§ 9, additional.** Section 4404 of Title 12 of the Revised Statutes is amended by adding a new subsection 9 to read as follows:

9. License freeze. Only renewal licenses will be issued after December 31, 1973, until the license level has dropped to 5,000 by failure to renew or attrition. When the number of licenses drops below 5,000, the commissioner shall cause a drawing of new license applications and issue the number of licenses required to maintain the license level at 5,000. The commissioner shall set standards and guidelines for conducting the drawing. This subsection does not apply to student licensees.

#### STATEMENT OF FACT

This bill would license boats instead of individuals for the purpose of lobster and crab fishing and would provide for a helper on payment of an additional fee. It also would restrict the operation of the boat in the lobster and crab fishery to one of the proposed lobster fishing districts. It would increase the license fee to \$50 and freeze the license level at 5,000. It also provides for a \$25 student license to fish 150 traps. Funds received from the licenses would be used for lobster propagation, purchasing seed lobsters, lobster research and additional enforcement of lobster related laws.