

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND SIXTH LEGISLATURE

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## Legislative Document

No. 1741

H. P. 1311

House of Representatives, April 2, 1973

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

E. LOUISE LINCOLN, Clerk

Presented by Mr. Kelley of Southport.

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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### AN ACT to Include a License to Take Shrimp within the License to Take Lobster and Crab.

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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.** Section 4404 of Title 12 of the Revised Statutes, as amended by section 2 of chapter 67 of the public laws of 1967, is further amended to read as follows:

**§ 4404. Lobster, crab and shrimp fishing**

It is unlawful for any person to fish for, take or catch any lobsters or crabs in any manner, **or to fish for, take or catch, any shrimp with pots or traps,** without having a current written license as provided in this section.

1. **Exception for crabs and shrimp for home consumption.** This section does not apply to the taking or catching of crabs with bare hands, or with hook and line, that may be found along the shore, under rocks or in pools left by the receding tides, **or shrimp by dragging or by any other means other than the use of pots or traps,** provided they are used for home consumption by the taker, and are not sold.

2. **License designation; general scope.** The license, designated as a lobster, ~~and~~ crab **and shrimp** fishing license, entitles the holder to take lobsters, ~~and~~ crabs **and shrimp** when and where it is otherwise lawful to take them.

3. **Scope of license for transportation; license to be exhibited.** The license entitles the holder to transport lobsters, ~~and~~ crabs **and shrimp** within the limits of the State, provided he keeps his license upon his person while so transporting lobsters, ~~or~~ crabs **or shrimp**, and provided he exhibits the license while so engaged on request of a coastal warden.

**4. Residence requirements.** A person who has been a legal resident of the State for at least 3 years next prior to the date of his application may apply to the commissioner for a lobster, ~~and~~ crab **and shrimp** fishing license.

**A.** Any person who was previously a legal resident of this State and has reestablished his legal residence here for a period of one year next preceding his application may count the time of his nonresidence as part of his 3-year period.

**B.** A veteran of World War II or the Korean War or the Viet Nam War who is honorably discharged, honorably separated or retired from active service in the Armed Forces may apply for a license, if he has been a legal resident of this State for at least one year at any time prior to the date of his application and is a legal resident of this State at the time of his application.

**5. License fee.** The fee for a lobster, ~~and~~ crab **and shrimp** fishing license is \$10 which the applicant shall enclose with his application.

**6. Lobster Fund.** Five dollars of the license fee received from each \$10 for lobster, ~~and~~ crab **and shrimp** fishing licenses shall be allocated to the Lobster Fund, as heretofore established.

**A.** The commissioner may expend any and all of the money in the Lobster 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 Fund does not lapse. Fees so collected or allocated in any one year may be used in the same or any succeeding year.

**7. Certain persons considered as fishing.** Any person, assisting or helping another in lobster, ~~or~~ crab **or shrimp** fishing, either by operating the boat or in attending to lobster, ~~or~~ crab **or shrimp** traps or pots, **or shrimp trawls**, is considered as fishing and must have a current license under this section.

**8. General licensing provisions apply.** The general licensing provisions of section 3751 apply to lobster, ~~and~~ crab **or shrimp** fishing licenses.

**Sec. 2. Amendatory clause.** Wherever in the Revised Statutes the words "lobster and crab fishing license" appear they shall mean lobster, crab and shrimp fishing license.

## STATEMENT OF FACT

The purpose of this legislation is stated in the title.