

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
107TH LEGISLATURE

COMMITTEE AMENDMENT "A" to H.P. 1074, L.D. 1354, Bill,

"AN ACT Concerning Prima Facie Evidence that a Lobster is Female."

Amend said Bill by striking out all of the Title and inserting in place thereof the following:

'AN ACT Concerning V-notching of Female Lobsters.'

Further amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:
as last amended by PL 1973, c. 180, §1,
'Sec. 1. 12 MRSA §4401, sub-§4, ¶A, /is repealed and replaced to read:

A. The commissioner shall cause such lobsters, before being liberated, to be marked by cutting a V-notch in the right flipper next to the middle flipper. The right flipper shall be determined with the lobster in the position of underside down, tail toward the person making the determination.

as last amended by PL 1973, c. 180, §1,
Sec. 2. 12 MRSA §4401, sub-§4, ¶B, first sentence, /is repealed and replaced to read:

It shall be unlawful for any person to have in his possession any female lobster marked with a V-notch in the right flipper next to the middle flipper, as determined in paragraph A, or any female lobster which is mutilated in such a manner to hide or obliterate such mark. Until January 1, 1977, it shall also be unlawful to have in his possession any female lobster marked with a V-notch in the left flipper or the middle flipper, or any female lobster which is mutilated in such a manner to hide or obliterate such mark.

Sec. 3. 12 MRSA §4401, sub-§6, as last amended by PL 1971,
c. 180, §2, is repealed and replaced to read:

6. Prima facie evidence. Until January 1, 1977, the fact
that a lobster has a V-notch in the ^{middle flipper or the} flippers on either side of
the middle flipper or said flippers are mutilated in such a
manner to hide or obliterate such mark is prima facie evidence
that the lobster is a female lobster. After January 1, 1977,
the fact that a lobster has a V-notch in the right flipper as
determined in → subsection 4, paragraph A, or said
flipper is mutilated in such a manner to hide or obliterate
such mark is prima facie evidence that the lobster is a female
lobster.'

Statement of Fact

The purpose of this amendment is to clarify the law pertaining to the V-notching of female lobsters.

Reported by the ~~Committee on~~ **Marine Resources.**

Reproduced and distributed under the direction of the Clerk of the House.
6/2/75

(Filing No. H-617)