

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 627

H. P. 511

House of Representative, February 16, 1979

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

EDWIN H. PERT, Clerk

Presented by Mr. Jackson of Yarmouth.

Cosponsor: Mr. Bowden of Brooklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

**AN ACT to Strengthen the Requirement to Remove Lobstering Equipment when a  
Lobster License is Suspended.**

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

**Sec. 1.** 12 MRSA § 6405, as amended by PL 1977, c. 713, § 3, is further amended by adding at the end a new sentence to read:

**During the removal period, the license holder shall not sell, lease or otherwise transfer ownership of the holder's lobster traps or cars or give written permission to another person to raise, lift or transfer those traps or cars.**

**Sec. 2.** 12 MRSA § 6406, as enacted by PL 1977, c. 661, § 5, is amended by adding a new sentence after the first sentence to read:

**It shall be unlawful for any person whose license is under suspension to give another person permission to raise, lift, transfer or possess lobster traps or cars marked with the suspended person's lobster and crab fishing license number or lobster traps with buoys that carry the color design on file with the suspended license.**

## STATEMENT OF FACT

This bill attempts to close a loophole in the present provisions regarding suspension of lobster and crab fishing licenses. Some fishermen are simply transferring their title in all their pots and gear when their license is suspended. Thus, they effectively continue to fish despite the suspension. This bill places 2 barriers to the unimpeded transfer after suspension. First, it places a moratorium on sale, etc., during the removal period, which forces the suspended lobsterman from giving another person permission to fish his pots during the entire suspension period. Both these measures are critical to enforcing the suspension penalties.