

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-403)
109TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 894, L.D. 1091, Bill, "AN ACT to Revise the Lobster Escape Vent Law and Remove its Sunset Provision:"

Amend the bill by striking out everything after the title and inserting in its place the following:

'Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the lobster escape vent law is causing some serious problems with the location of vents; and

Whereas, the lobster fishing season has begun and traps are already being prepared and set; and

Whereas, changing the location of vents partway through the season is a difficult and time consuming process; and

Whereas, in the judgment of the Legislature these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §6433, sub-§1 as amended by PL 1977, c. 713, §§4-A and 4-B, is repealed and the following is enacted in its place:

1. Vent required. It shall be unlawful to fish for or to take lobsters unless the lobster trap is equipped with unobstructed vents or gaps in the parlor section which are:

A. A rectangular or oblong escape vent not less than 1 3/4 inches (44.5 mm.) by 6 inches (152.5 mm.) located next to the bottom edge;

B. Two circular escape vents not less than 2 1/4 inches (57.2 mm.) in diameter located next to the bottom edge;

C. A gap caused by raising, modifying or separating horizontal laths to comply with ^{paragraph} A or B;

D. A gap caused by separating or modifying vertical laths to comply with paragraph A;

E. A gap caused by separating both ends of 2 laths 1 3/4 (44.5 mm.) on the top of the parlor section next to the middle bow or supporting frame and directly over the parlor head; or

F. In a wire or plastic trap by a gap created by cutting vents in the side or end to comply with ^{paragraph} A or B.

Sec. 2. 12 MRSA §6433, sub-§4 as enacted by PL 1977, c. 661, §5, is repealed.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Statement of Fact

This amendment clarifies the provisions of the escape vent law for lobsters. It is more specific in permitted locations for those vents. It also repeals the sunset provision in the statute.

Reported by the Committee on Marine Resources
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Clerk of the House
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