

# MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 1414, L.D. 1860)  
2 (New Title)

3 SECOND REGULAR SESSION  
4

5 ONE HUNDRED AND ELEVENTH LEGISLATURE  
6

7 Legislative Document

No. 2173

9 H.P. 1643

House of Representatives, March 6, 1984

10 Reported by Representative Crowley from the Committee on Marine  
11 Resources and ordered printed under Joint Rule 2.

EDWIN H. PERT, Clerk

12 Presented by Representative Crowley of Stockton Springs.

Cosponsors: Representative Perkins of Brooksville, Senator Perkins of  
Hancock and Senator Minkowsky of Androscoggin.

14 STATE OF MAINE  
15

16 IN THE YEAR OF OUR LORD  
17 NINETEEN HUNDRED AND EIGHTY-FOUR  
18

19 AN ACT to Provide for the Licensing of  
20 Commercial Scallop Fishing for Purposes of  
21 Improving Law Enforcement and to Protect  
22 Underwater Electric Cables not Shown on  
23 Nautical Charts.  
24

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

27 Sec. 1. 12 MRSA §6701, as amended by PL 1979, c.  
28 480, §5, is further amended to read:

29 §6701. Hand fishing scallop license

30 1. License required. It ~~shall be~~ is unlawful for  
31 any person to engage in the activities authorized by  
32 this license under this section ~~with~~ without a cur-  
33 rent hand fishing scallop license or other license  
34 issued under this Part authorizing the activities.

1           2. Licensed activity. The holder of a hand  
2 fishing scallop license may ~~fish for or~~ take scallops  
3 by hand or possess, ship, transport or sell scallops  
4 he has taken. The license shall also authorize crew  
5 members aboard the licensee's boat when ~~it is~~ engaged  
6 in ~~dragging~~ fishing for scallops by hand to undertake  
7 these activities.

8           3. Eligibility. A scallop license shall only be  
9 issued to an individual and shall be a resident li-  
10 cense.

11           4. Exception. In any one day, any person may  
12 take or possess not more than 2 bushels of shell  
13 scallops or 4 quarts of shucked scallops for personal  
14 use without a scallop license.

15           5. Fee. The fee for a scallop license shall be  
16 \$33.

17           Sec. 2. 12 MRSA §6702 is enacted to read:

18           §6702. Scallop boat license

19           1. License required. It is unlawful for any  
20 person to use a boat for dragging for scallops unless  
21 that boat carries a scallop boat license issued by  
22 the commissioner.

23           2. Licensed activity. A boat licensed under  
24 this section may be used for dragging for scallops.  
25 The license shall also authorize the captain and crew  
26 members aboard the licensed boat when engaged in  
27 dragging for scallops to undertake these activities.

28           3. Eligibility. A scallop boat license shall  
29 only be issued to an individual and shall be a resi-  
30 dent license.

31           4. Exception. In any one day, any person may  
32 take or possess not more than 2 bushels of shell  
33 scallops or 4 quarts of shucked scallops for personal  
34 use without a scallop license.

35           5. Fee. The fee for a scallop boat license is  
36 \$33.

1 Sec. 3. 12 MRSA §6954, sub-§1, as enacted by PL  
2 1983, c. 179, §3, is amended to read:

3 1. Violation. It is unlawful to use any drag or  
4 trawl along the seabed in any waters that are identi-  
5 fied or marked as underwater cable or pipeline areas,  
6 either as shown on the most recently published United  
7 States Government nautical chart, or as shown or de-  
8 scribed by rule adopted by the commissioner. The  
9 commissioner may make rules showing or describing the  
10 locations of underwater cables or pipelines which are  
11 not identified on the most recent United States Gov-  
12 ernment nautical charts.

13 STATEMENT OF FACT

14 This new draft creates a distinction between the  
15 methods of scallop fishing in order to facilitate en-  
16 forcement of the prohibition on dragging in cable ar-  
17 eas.

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