

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 564

6  
7 H.P. 411

House of Representatives, February 14, 1985

8 Submitted by the Department of Marine Resources pursuant to Joint  
9 Rule 24.

10 Reference to the Committee on Marine Resources suggested and ordered  
printed.

EDWIN H. PERT, Clerk

Presented by Representative Vose of Eastport.

11 Cosponsored by Representative Scarpino of St. George, Representative  
Crowley of Stockton Springs and Senator Brown of Washington.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-FIVE  
16

17 AN ACT to Clarify the Use of the Hand Fishing  
18 Scallop License.  
19

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

22 12 MRSA §6701, sub-§2, as amended by PL 1983, c.  
23 663, §1, is further amended to read:

24 2. Licensed activity. The holder of a hand fish-  
25 ing scallop license may take scallops by hand or pos-  
26 sess, ship, transport or sell scallops he has taken.  
27 The license shall also authorize crew members aboard  
28 the licensee's boat when engaged in fishing for  
29 scallops by hand to undertake these activities-

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STATEMENT OF FACT

2           This bill provides that each person diving, for  
3 instance, for scallops shall hold a hand fishing  
4 scallop license. It was intended that a crew member,  
5 not diving for scallops but physically on board the  
6 vessel and doing the shucking of the scallops, could  
7 do so under the license of an individual who is en-  
8 gaged in diving for scallops from the boat. Recent  
9 experience indicates that some divers interpret the  
10 law to say that where there is more than one diver on  
11 board the boat, they constitute crew and thus may  
12 fish under the license of the owner of the boat who  
13 holds the hand scallop license. This bill removes  
14 the confusing language. Enforcement action is not  
15 taken against individuals who are solely involved in  
16 the shucking of product on board vessels.

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