

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

1 (New Draft of H.P. 513, L.D. 718)  
2 (New Title)  
3 SECOND REGULAR SESSION  
4

5 ONE HUNDRED AND TWELFTH LEGISLATURE  
6

7 Legislative Document

No. 2248

8  
9 H.P. 1597 House of Representatives, March 18, 1986  
10 Reported by the Majority from the Committee on Marine Resources and  
11 printed under Joint Rule 2. Original bill sponsored by Representative Crowley  
of Stockton Springs.

12 EDWIN H. PERT, Clerk

13  
14 STATE OF MAINE  
15

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

19 AN ACT to Improve Lobster Research and  
20 Management.  
21

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

24 Sec. 1. 12 MRSA c. 606 is enacted to read:

25 CHAPTER 606

26 FISHERIES MANAGEMENT RESEARCH

27 Subchapter I

28 LOBSTER RESEARCH

29 §6141. Lobster research program

30 The commissioner shall establish a program of  
31 lobster research within the Bureau of Marine Sci-

1 ences. The purpose of this program will be to devel-  
2 op reliable scientific information for use in manage-  
3 ment decisions.

4 1. Research. The lobster research program shall  
5 include investigation of lobster population dynamics,  
6 reproductive behavior and migration patterns. Spe-  
7 cific attention shall be given to evaluating the  
8 impacts of the State's v-notch program on the repro-  
9 ductive potential of lobster stocks.

10 2. Policy investigations. The commissioner  
11 shall develop in the lobster research program the ca-  
12 capacity to systematically analyze the effects of con-  
13 servation and management options. The analysis in-  
14 cludes both the biological and economic components  
15 of the fishery. Options for policy analysis include,  
16 without limitation, changes in the lobster measures,  
17 seasons, limitations on effort and limitations on en-  
18 try to the fishery. Analysis of these options shall  
19 be conducted cooperatively with the industry and the  
20 Lobster Advisory Council.

21 3. Data collection. The commissioner shall con-  
22 tinue the lobster fisheries data collection project  
23 undertaken by the department since 1967. Continuity  
24 of data collection shall be ensured.

25 4. Cooperation. The commissioner shall coopera-  
26 tively develop and coordinate the lobster research  
27 program with the University of Maine and the lobster  
28 industry.

29 5. Report. The commissioner shall prepare an  
30 annual report to the Legislature setting out the ac-  
31 complishments of the previous year and an updated,  
32 5-year research plan for future activities with pro-  
33 posed budget requirements. The report shall be re-  
34 viewed by the Lobster Advisory Council prior to sub-  
35 mission to the Legislature. The report shall be sub-  
36 mitted to the joint standing committee of the Legis-  
37 lature having jurisdiction over marine resources on  
38 or before January 1st of each year.

39 6. Funds. All federal and state funds obtained  
40 and used by the department for lobster research shall  
41 be utilized to achieve the objectives of this sub-  
42 chapter.

1           Sec. 2. 12 §6431, sub-§1, as enacted by PL 1977,  
2 c. 661, §5, is repealed and the following enacted in  
3 its place:

4           1. Minimum and maximum length. It is unlawful to  
5 buy, sell, give away, transport, ship or possess any  
6 lobster which is less than the minimum size estab-  
7 lished by this subsection or more than 5 inches in  
8 length, as determined by the state double gauge lob-  
9 ster measure. The minimum size shall be as follows.

10           A. Effective January 1, 1988, the minimum size  
11 shall be 3 7/32 inches.

12           B. Effective January 1, 1990, the minimum size  
13 shall be 3 8/32 inches.

14           Sec. 3. 12 MRSA §6431, sub-§3, as enacted by PL  
15 1977, c. 661, §5, is amended to read:

16           3. Double gauge measure; evidentiary value. The  
17 department shall provide the State double gauge lob-  
18 ster measure for sale at actual cost. The measure  
19 shall have one gauge of 3 3/16 inches and another 5  
20 inches in length. No measurement, other than by the  
21 State's double gauge lobster measure, may be admissi-  
22 ble in any court in the State. The commissioner is  
23 authorized to adjust the State double gauge lobster  
24 measure to conform to the minimum legal size in ef-  
25 fect.

26           Sec. 4. 12 MRSA §6433, sub-§1-A is enacted to  
27 read:

28           1-A. Adjustment. Notwithstanding subsection 1,  
29 the commissioner shall specify by rule the dimensions  
30 of vents in lobster traps which shall be appropriate  
31 for the minimum legal lobster size in effect.

32           Sec. 5. 12 MRSA §6858, sub-§1-A is enacted to  
33 read:

34           1-A. Adjustment. Notwithstanding subsection 1,  
35 the commissioner shall specify by rule the legal size  
36 of lobster meat tail sections in conformity with the  
37 minimum legal lobster size in effect.



1           There is growing support among lobstermen  
2 throughout New England for gradual increases in the  
3 minimum measure in order to provide a buffer of safe-  
4 ty to the lobster stocks. The value of this buffer  
5 is discussed in the recent Botsford report to the  
6 Joint Standing Committee on Marine Resources. Maine  
7 lobstermen and industry organizations in the State  
8 feel that this proposal may be the State's best  
9 chance to attain broader acceptance of the v-notch  
10 program. If other states or the Federal Government  
11 move ahead with a measure increase, this opportunity  
12 would be lost.

13

6941032086