

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1386

H.P. 1028 House of Representatives, April 29, 1987
Reference to the Committee on Marine Resources suggested
and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative MANNING of Portland.
Cosponsored by Representative KETOVER of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT Regarding Lobster Fishing.

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

Sec. 1. 12 MRSA §6431, sub-§6-A is enacted to
read:

6-A. Exception for offshore catch. The maximum
length provisions of this section shall not apply to
lobsters caught seaward of a boundary established by
the commissioner by rule at least 3 miles but less
than 12 miles off the Maine coast from headland to
headland and encompassing all islands within the
State's jurisdiction. All lobsters greater than 5
inches in length, as determined under this section,
shall be consigned to sealed containers in a manner
prescribed by rule, consistent with the other provi-

1 sions of this section, prior to entry into the waters
2 landward of the boundary established pursuant to this
3 subsection. Lobsters landed under the provisions of
4 this section may be landed only at ports designated
5 by the commissioner by rule.

6 **Sec. 2. 12 MRSA §6952, sub-§1, ¶D is enacted to**
7 **read:**

8 D. No violation of this section may occur if the
9 lobster is caught incidental to fishing for other
10 marine species seaward of the boundary estab-
11 lished under section 6431, subsection 6-A, and no
12 lobster aboard is less than 3 11/16 inches in
13 length as determined under section 6431, subsec-
14 tion 2. Lobsters caught in such manner shall be
15 consigned to a sealed container in a manner pre-
16 scribed by rule by the commissioner in a manner
17 consistent with the provisions of section 6431,
18 subsection 6. Lobsters landed under the provi-
19 sions of this section may be landed only at ports
20 designated by the commissioner by rule.

21 **STATEMENT OF FACT**

22 The purpose of this bill is to allow the landing
23 of oversized lobsters caught offshore and those
24 lobsters caught as a bycatch in other fishing opera-
25 tions under limited circumstances. Lobsters in these
26 categories have to be landed in sealed crates in a
27 manner similar to the procedures employed in the im-
28 port of mixed batches of regulation-sized and over-
29 sized lobsters. Lobsters in these categories maybe
30 landed only at the Portland Fish Pier where tight en-
31 forcement of state marine laws can be applied.

32 The current law precludes the landing of bycatch
33 lobsters and oversized, offshore lobsters. This
34 represents a direct economic loss to the State's
35 fishermen and provides no useful conservation benefit
36 to the state fishery. Oversized lobsters caught
37 offshore are typically landed in another state.
38 Offshore fin and scallop fishermen who catch lobsters
39 incidentally simply go to another state rather than
40 landing all of their catch in this State. This

1 undermines the economic viability of the State's
2 fishing industry. Allowing the landing of oversized
3 and a small number of bycatch lobsters will have the
4 substantial benefit of drawing a large quantity of
5 other marine species to state ports.

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