

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1687

H.P. 1215

House of Representatives, May 23, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

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

A handwritten signature in cursive script, reading "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative CONSTANTINE of Bar Harbor.

Cosponsored by Representative COLES of Harpswell, Senator BRAWN of Knox and Senator PERKINS of Hancock.

STATE OF MAINE

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

An Act to Amend the Lobster and Crab Fishing License Law.

(AFTER DEADLINE)



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

3 Sec. 1. 12 MRSA §6406, as amended by PL 1979, c. 283, §2, is
5 repealed and the following enacted in its place:

7 §6406. Engaging in activities while under suspension

9 1. Prohibited acts. It shall be unlawful for any person
whose license is under suspension to:

11 A. Engage in any licensed activity;

13 B. Give another person permission to raise, lift, transfer
or possess lobster traps or cars marked with the suspended
15 person's lobster and crab fishing license number or lobster
traps with buoys that carry the color design on file with
17 the suspended license; or

19 C. Assist a holder of a Class II or Class III lobster and
crab fishing license as a crew member.

21 2. Penalty. Violation of this section shall be a Class D
23 crime, except that the court shall impose a fine of not less than
\$100 nor more than \$1,000.

25 Sec. 2. 12 MRSA §6421, as amended by PL 1985, c. 379, §1, is
27 further amended to read:

29 §6421. Lobster and crab fishing licenses

31 1. License required. It shall be unlawful for any person
to engage in the activities authorized by this license under this
33 section without a current Class I, Class II, or Class III lobster
and crab fishing license or other license issued under this Part
35 authorizing the activities.

37 2. Licensed activity. The holder of a Class I, Class II,
or Class III lobster and crab fishing license may fish for, take,
39 possess, ship or transport within the State lobsters or crabs and
sell lobsters or crabs he the license holder has taken. The
41 license shall not authorize the license holder to remove lobster
meat from the shell or to take, possess, transport or ship
43 lobster parts or meat.

45 ~~3. License limitation. A license shall only authorize these
activities by an individual who is named in the license. An
47 individual assisting or helping a license holder in these
activities shall also be licensed.~~

49 3-A. License limitation. A license shall authorize
51 activities by individuals as follows.

1 A. A Class I license shall only authorize the licensed
3 activities by the individual who is named in the license.
 Any individual assisting or helping a Class I license holder
 in these activities shall also be licensed.

5 B. A Class II license shall authorize the license holder to
7 engage in the licensed activities. A Class II license
 holder may engage a maximum of one unlicensed crew member to
9 assist in the licensed activities under the direct
 supervision of the Class II license holder.

11 C. A Class III license shall authorize the license holder
13 to engage in the licensed activities. A Class III license
 holder may engage a maximum of two unlicensed crew members
15 to assist in the licensed activities under the direct
 supervision of the Class III license holder.

17 4. Exception. No license shall be required to take or
19 catch crabs with bare hands or hook and line.

21 5. Eligibility. A Class I, Class II or Class III lobster
23 and crab fishing license shall only be issued to an individual
 and shall be a resident license.

25 6. Buoy colors. Each license applicant shall describe, on
27 the application, a single color design of his the applicant's
 buoys.

29 7. ~~Fee. The fee for the license shall be \$53 for~~
31 ~~applicants 17 years of age or older and \$26 for those under 17.~~

33 7-A. Fee. The fee for the license shall be:

35 A. \$26 for a Class I license for applicants under 17 years
 of age;

37 B. \$53 for a Class I license for applicants 17 years of age
 or older;

39 C. \$106 for a Class II license; and

41 D. \$159 for a Class III license.

43 Sec. 3. 12 MRSA §6451, sub-§1, as amended by PL 1987, c. 513,
45 §5, is further amended to read:

47 1. Allocation of license fees. Ten dollars of each \$53
49 fee, \$20 of each \$106 fee, \$30 of each \$159 fee and \$5 of each
 \$26 fee for each lobster and crab fishing license shall be
51 allocated to the Lobster Fund, which shall be used for the
 purposes of lobster biology research, of propagation of lobsters

1 by liberating seed and female lobsters in Maine coastal waters
and of establishing and supporting lobster hatcheries.

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STATEMENT OF FACT

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This bill establishes a Class II and Class III lobster and
9 crab fishing license. A holder of a Class II and Class III
license will be authorized to hire 1 or 2 unlicensed crew members
11 to assist the license holder under the supervision of that
license holder.

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