

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 626

H.P. 460

House of Representatives, February 23, 1995

**An Act to Impose a Moratorium on New Lobster and Crab Fishing  
Licenses and to Develop a Resource Management Plan for the Lobster  
Industry.**

(EMERGENCY)

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative DiPIETRO of South Portland.  
Cosponsored by Representatives: FISHER of Brewer, KERR of Old Orchard Beach,  
LEMONT of Kittery, MURPHY of Berwick, VIGUE of Winslow.

2           **Emergency preamble.** Whereas, Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

4           **Whereas,** the lobster fishery is currently threatened by  
6 overfishing; and

8           **Whereas,** if the overfishing is not quickly controlled, the  
fishery could be destroyed and a vital part of the State economy  
10 could be ruined; and

12           **Whereas,** in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
14 Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health and  
16 safety; now, therefore,

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

20           **Sec. 1. 12 MRSA §6422** is enacted to read:

22       **§6422. Moratorium**

24           Notwithstanding any other provision of this Title, between  
26 April 1, 1995 and April 1, 1997 the Commissioner of Marine  
28 Resources may not issue a lobster and crab fishing license to any  
person who did not hold a valid lobster and crab fishing license  
on March 31, 1995.

30           **Sec. 2. Resource management plan.** The Commissioner of Marine  
Resources shall develop by January 1, 1997 a management plan for  
32 the protection of the lobster fishery. The plan must be  
consistent with all federal requirements and must allow continued  
34 access to the lobster fishery by those who hold valid lobster and  
crab fishing licenses on March 31, 1997 and must provide for  
36 limitations on the access to the fishery by others. The  
commissioner shall provide a report to the Legislature on January  
38 1, 1997. The report must include the commissioner's plan and any  
suggested legislation to establish the plan.

40           **Emergency clause.** In view of the emergency cited in the  
42 preamble, this Act takes effect when approved.

44   **STATEMENT OF FACT**

46           This bill establishes a 2-year moratorium on the issuance of  
48 lobster and crab fishing licenses. Between April 1, 1995 and  
50 April 1, 1997, no lobster and crab fishing licenses may be issued  
to any person who did not hold valid licenses on March 31, 1995.

2 This bill also requires that the Commissioner of Marine Resources  
develop a management plan for the protection of the lobster  
fishery. The plan must be completed by January 1, 1997 and must  
4 provide for continued access to the lobster fishery by those who  
hold valid lobster and crab fishing licenses on March 31, 1997.  
6 The plan must provide for limitations on the access of others to  
the lobster fishery.