

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1327

S.P. 452

In Senate, February 16, 1999

An Act to Strengthen Enforcement of Lobster Trap Limits.

Submitted by the Department of Marine Resources pursuant to Joint Rule 204.
Reference to the Committee on Marine Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representatives: BAGLEY of Machias, HONEY of Boothbay, LEMONT of Kittery, VOLENIK of Brooklin.

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

4 **Sec. 1. 12 MRSA §6431-A**, as amended by PL 1997, c. 19, §1, is repealed and the following enacted in its place:

6 **§6431-A. Trap limit**

8 **1. Limit.** Unless permitted by a trap limit established by referendum and adopted under section 6446, the holder of a Class I, Class II or Class III license issued under section 6421 may not submerge more than 1,200 traps. Effective January 1, 2000 the trap limit is 800.

14 **Sec. 2. 12 MRSA §6431-D**, as amended by PL 1997, c. 19, §3, is repealed.

16 **Sec. 3. 12 MRSA §6447, sub-§5**, as amended by PL 1995, c. 568, §7, is further amended to read:

20 **5. Council authority.** Upon approval in a referendum under subsection 6, a lobster management policy council may propose to
22 the commissioner rules for a zone to place the following
24 limitations on lobster and crab fishing license holders that fish
26 in that zone, provided the proposed limitations are equal to or
stricter than the limitations under section 6431-A, 6431-D, 6439,
6439-A or 6440:

28 A. The number of lobster traps fished and the time periods
30 allowed for complying with that number;

32 B. The number of lobster traps allowed on a trawl; and

34 C. The time of day when lobster fishing may occur.

36 **SUMMARY**

38 Current law requires the Commissioner of Marine Resources to
40 adopt rules, including the number of lobster traps that may be
42 fished, for the lobster management zones following approval at
referendum of rules for those zones.

44 This bill removes contradictory language from the statutes
46 regarding the allowable number of lobster traps that may be
fished.