

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)



119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1982

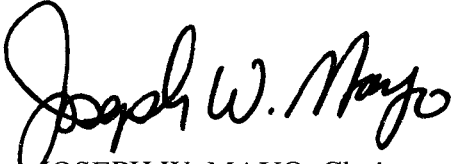
H.P. 1385

House of Representatives, March 23, 1999

**An Act to Establish a Lobster Trap Tag Freeze to Limit Effort in the
Lobster Fishery.**

Reported by Representative ETNIER for the Joint Standing Committee on Marine Resources pursuant to Public Law 1997, chapter 747, section 2.

Reference to the Joint Standing Committee on Marine Resources suggested and printing ordered under Joint Rule 218.


JOSEPH W. MAYO, Clerk

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

4 **Sec. 1. 12 MRSA §§6431-F is enacted to read:**

6 **§6431-F. Trap tag freeze**

8 **1. Trap tag limits.** The commissioner may not issue a number
10 of lobster trap tags each year to a Class I, Class II or Class
12 III lobster and crab fishing license holder that is greater than
14 the number of trap tags the license holder had purchased as of
16 November 20, 1998 for the 1998 license year.

18 **2. Exception.** Subsection 1 does not apply to trap tags
20 issued to a license holder who is issued a Class I, Class II or
22 Class III lobster and crab fishing license for the first time
24 after meeting the requirements of the apprentice program under
26 section 6422.

28 **3. Trap tag appeals.** A lobster and crab fishing license
30 holder who is denied trap tags under subsection 1 may appeal that
32 denial. The appeals process is as follows.

34 **A.** The Trap Tags Appeals Board is established to review
36 appeals under this subsection. The board consists of 3
38 voting members appointed by the commissioner with the advice
40 of the Lobster Advisory Council. The commissioner shall
42 appoint the following members:

44 **(1)** Two standing members, one of whom holds a lobster
46 and crab fishing license and one of whom is a member of
48 the general public and does not hold a lobster and crab
50 fishing license; and

(2) An ad hoc member appointed for each appeal, who
holds a lobster and crab fishing license and who fishes
in the same lobster management zone as the person who
has appealed the trap tag denial.

The board shall make a recommendation to the commissioner
for the approval or denial of an appeal. The commissioner
shall render the final decision on any appeal.

B. Trap tag purchases may only be approved on appeal if the
following criteria are met:

(1) The person documents a medical reason for not
purchasing trap tags in 1998 or the person documents
service in the United States Armed Forces that
precluded participation in the lobster fishery and the
purchase of trap tags in 1998; and

