

MAINE STATE LEGISLATURE

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MAJORITY
MARINE RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1675, L.D. 2341, Bill, "An Act to Limit Lobster Management Zones to State Coastal Waters"

Amend the bill in section 1 in subsection 1 in the last line (page 1, line 9 in L.D.) by striking out the following: "3 nautical miles from the coastline of the State" and inserting in its place the following: 'the 3-mile nautical line as shown on National Oceanic and Atmospheric Administration nautical charts'

Further amend the bill by inserting after section 1 the following:

'Sec. 2. 12 MRSA §6446, sub-§1-A, as enacted by PL 1999, c. 508, §1, is amended to read:

1-A. Declared lobster zone. A person shall declare on an application for a Class I, Class II or Class III lobster and crab fishing license the lobster management zone in which that person proposes to fish a majority of that person's lobster traps. A license must identify the zone in which the person is authorized to fish a majority of that person's lobster traps. When fishing beyond the 3-mile nautical line, a license holder is not limited to fishing a majority of that person's traps within that person's declared lobster management zone.

Sec. 3. 12 MRSA §6446, sub-§3, as enacted by PL 1995, c. 468, §8 is repealed and the following enacted in its place:

3. Application of zone rules. Rules adopted for a zone pursuant to subsection 2 apply to a person who holds a license under section 6421 and who fishes for lobsters in more than one zone as follows.

A. When fishing inside the 3-mile nautical line, a license holder is subject to the most restrictive rules regarding the number of lobster traps allowed on a trawl and the time of day when lobster fishing may occur adopted for any zone in which the license holder fishes. When fishing beyond the 3-mile nautical line, a license holder is not subject to those rules.

B. When fishing inside the 3-mile nautical line, a license holder is subject to the most restrictive rules regarding the number of lobster traps fished and the time periods allowed for complying with that number adopted for any zone in which the license holder fishes. When fishing beyond the 3-mile nautical line, a license holder is subject to the rules adopted for the zone declared by the license holder as the zone in which the person fishes a majority of that person's lobster traps.

For the purposes of this subsection, the term "3-mile nautical line" means the 3-mile nautical line as shown on National Oceanic and Atmospheric Administration nautical charts.'

SUMMARY

This amendment, which is the majority report of the committee, clarifies how rules adopted for lobster management zones will apply when the zones are limited to the 3-mile nautical line as described on nautical charts. A lobster license holder will not be required to fish a majority of that person's traps within the license holder's declared lobster management zone when fishing beyond the 3-mile nautical line.

A license holder will be subject to the most restrictive rules regarding the number of lobster traps allowed on a trawl and the time of day when lobster fishing may occur adopted for any zone in which the license holder fishes only when fishing inside the 3-mile nautical line. A license holder will be subject to the most restrictive rules regarding the number of lobster traps fished adopted for any zone in which the license holder fishes when that license holder is fishing inside the 3-mile nautical line and will be subject to the rules for the license holder's own zone when fishing beyond the 3-mile nautical line.