

# 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)



# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

---

Legislative Document

No. 379

---

H.P. 301

House of Representatives, January 30, 2001

**An Act to Amend the Lobster Fishing Owner and Operator Laws to  
Allow Limited Charter Vessel Operation.**

(EMERGENCY)

---

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

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative ETNIER of Harpswell.  
Cosponsored by Representatives: COLLINS of Wells, HONEY of Boothbay, Senator:  
LEMONT of York.

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

4  
6           **Whereas,** the 90-day period may not terminate until after the  
fishing season has begun; and

8           **Whereas,** the changes made in this Act will affect this  
year's fishing season; and

10  
12           **Whereas,** in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
14 necessary for the preservation of the public peace, health and  
safety; now, therefore,

16  
18           **Be it enacted by the People of the State of Maine as follows:**

20           **Sec. 1. 12 MRSA §6431-E, sub-§3, ¶¶C and D,** as enacted by PL  
1997, c. 693, §1 and affected by §3, are amended to read:

22           C. Documents to the commissioner by December 31, 2000 that  
that person fished for or took lobsters during the  
24 qualifying period in each of calendar years 1995, 1996 and  
1997 from the same vessel and that vessel did not have on  
26 board an individual who meets the criteria of subsection 2,  
paragraph A or B. A person may not qualify for the  
28 exemption under this paragraph unless that person continues  
to fish for or take lobsters from the vessel from which the  
30 person harvested lobsters during the qualifying period in  
each of calendar years 1995, 1996 and 1997, or from a  
32 replacement vessel; ~~or~~

34           D. An individual, partnership, corporation or other entity  
documents to the commissioner by December 31, 2000 that that  
36 individual or partnership, corporation or other entity  
rented, leased or otherwise made available that vessel to  
38 the holder of a Class I, Class II or Class III lobster and  
crab fishing license during the qualifying period in each of  
40 calendar years 1995, 1996 and 1997 for the purpose of  
fishing for or taking lobsters. A person authorized under  
42 this paragraph may fish for or take lobsters only from the  
vessel that was made available during the qualifying period  
44 in each of calendar years 1995, 1996 and 1997, or a  
replacement vessel; or

46           **Sec. 2. 12 MRSA §6431-E, sub-§3, ¶E** is enacted to read:

48           E. The person is licensed by the United States Coast Guard

