



120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 630

H.P. 490

House of Representatives, February 8, 2001

An Act Concerning Closed Periods for Lobstering.

(EMERGENCY)

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

Millicent M. Mac Jarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative ETNIER of Harpswell. Cosponsored by Representatives: BAGLEY of Machias, HONEY of Boothbay, McNEIL of Rockland. **Emergency preamble. Whereas,** Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation clarifies certain limitations involving lobster fishing; and

Whereas, this legislation needs to be enacted in a timely manner due to the upcoming lobster harvesting season; and

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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 necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §6440, as amended by PL 1999, c. 790, Pt. E, \$1, is further amended to read:

22 §6440. Closed periods

24 It is unlawful to raise, <u>or haul er-transfer</u> any lobster trap:

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Summer. During the period 1/2 hour after sunset until
1/2 hour before sunrise from June 1st to October 31st, both days inclusive except in those portions of the coastal waters of the
State from the 3-nautical-mile limit out to the 200-nautical-mile limit as shown on the most recently published United States
Government nautical chart; and

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2. Weekends. During the period from 4 p.m., Eastern Daylight Savings Time, Saturday, to 1/2 hour before sunrise the following Monday morning from June 1st to August 31st, both days inclusive, except that it is lawful to raise, or haul er-transfer
38 traps during this period if a hurricane warning issued by the National Weather Service is in effect for any coastal waters of the State.

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

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SUMMARY

48 This bill deletes language referring to the transfer of lobster traps and clarifies that the limitations on summer

lobster fishing do not apply to those portions of the coastal waters from the current 3-nautical-mile limit out to the 200-nautical-mile limit as described on United States Government nautical charts.