

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 969

H.P. 750

House of Representatives, February 20, 2001

An Act to Permit Intrafamily Transfer of Lobster Tags.

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative McKENNEY of Cumberland.
Cosponsored by Senator KILKELLY of Lincoln and
Representatives: HONEY of Boothbay, MURPHY of Berwick, MURPHY of Kennebunk,
PINKHAM of Lamoine, SULLIVAN of Biddeford, TRAHAN of Waldoboro.

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

2
4 **Sec. 1. 12 MRSA §6431-B**, as enacted by PL 1995, c. 468, §5,
is repealed and the following enacted in its place:

6 **§6431-B. Tag system**

8 **1. Tag rules established.** The commissioner shall establish
10 by rule a lobster trap tag system under which lobster and crab
12 fishing license holders must purchase tags for the purpose of
14 identifying and tracking traps. The rules must contain
16 provisions for replacing lost tags. The commissioner may impose
18 a per-tag fee to cover the cost of trap tags, the costs of
administering and enforcing a lobster trap tag system and the
costs associated with lobster management policy councils and
referenda pursuant to section 6447. Trap tag fees must be
deposited in the Lobster Management Fund established under
section 6431-C.

20 **2. Intrafamily tag transfers.** By November 1, 2001, the
22 rules must permit the transfer of up to the legal number of
24 lobster trap tags for the zone fished from a grandparent to a
26 grandchild or from a parent to a child as long as:

28 A. The grandchild or child has met the requirements of the
30 apprenticeship program under section 6422;

32 B. The grandchild or child is actively fishing the zone; and

34 C. The grandparent or parent has cancelled and returned to
36 the department the grandparent's or parent's lobster and
crab fishing license.

38 **3. Routine technical rules.** Rules adopted pursuant to this
40 section are routine technical rules as defined in Title 5,
chapter 375, subchapter II-A.

SUMMARY

42 This bill requires the Department of Marine Resources to
44 establish by rule provisions for allowing the transfer of up to
46 the legal number of lobster trap tags from a grandparent or
parent to a grandchild or child. The grandchild or child must
have met the requirements of the apprenticeship program and be
actively fishing the zone and the grandparent or parent must have
retired that person's lobster and crab fishing license.