

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 207

H.P. 166

House of Representatives, January 21, 2003

### **An Act to Limit Lobster Management Zones to State Coastal Waters**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative PERCY of Phippsburg.

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

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4       **Sec. 1. 12 MRSA §6446, sub-§1**, as enacted by PL 1995, c. 468, §8, is amended to read:

6       **1. Establishment of zones.** The commissioner may establish  
8 by rule zones to facilitate local or regional management of  
10 lobster fishery efforts. A lobster management zone may not extend beyond the 3-mile nautical line as shown on National Oceanic and Atmospheric Administration nautical charts.

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

14       **1-A. Declared lobster zone.** A person shall declare on an  
16 application for a Class I, Class II or Class III lobster and crab  
18 fishing license the lobster management zone in which that person  
20 proposes to fish a majority of that person's lobster traps. A  
22 license must identify the zone in which the person is authorized  
24 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.

26       **Sec. 3. 12 MRSA §6446, sub-§3**, as enacted by PL 1995, c. 468, §8, is repealed and the following enacted in its place:

28       **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.

32       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.

40       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.

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

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## 8 SUMMARY

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10 This bill limits lobster management zones to the 3-mile  
12 nautical line as described on nautical charts. A lobster license  
14 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.

16 A license holder will be subject to the most restrictive  
18 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  
20 subject to the most restrictive rules regarding the number of  
lobster traps fished adopted for any zone in which the license  
22 holder fishes when that license holder is fishing inside the  
3-mile nautical line and will be subject to the rules for the  
24 license holder's own zone when fishing beyond the 3-mile nautical  
line.