

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 141

H.P. 120

House of Representatives, January 15, 2009

**An Act To Allow a Person 65 Years of Age or Older To Obtain a
Lobster License without Completing the Apprentice Program**

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative RICHARDSON of Warren.
Cosponsored by Representative: PRESCOTT of Topsham.

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

2 **Sec. 1. 12 MRSA §6421, sub-§5, ¶C,** as corrected by RR 2001, c. 2, Pt. A, §14,
3 is amended to read:

4 C. Meets the requirements of the apprentice program under section 6422 or section
5 6475; ~~or~~

6 **Sec. 2. 12 MRSA §6421, sub-§5, ¶D,** as corrected by RR 2001, c. 2, Pt. A, §15,
7 is amended to read:

8 D. Did not possess a Class I, Class II or Class III lobster and crab fishing license in
9 the previous calendar year because the commissioner had suspended the person's
10 license privileges for a length of time that included the previous calendar year; or

11 **Sec. 3. 12 MRSA §6421, sub-§5, ¶I** is enacted to read:

12 I. Is 65 years of age or older and previously possessed a Class I, Class II or Class III
13 lobster and crab fishing license.

14 **Sec. 4. 12 MRSA §6422, sub-§1,** as amended by PL 2003, c. 468, §6, is further
15 amended to read:

16 **1. Program established; experience component.** ~~By July 1, 1996, the~~ The
17 commissioner shall establish by rule an apprentice program for entry into the lobster
18 fishery. The program must include practical lobster fishing experience. A person must
19 be 8 years of age or older and hold an apprentice lobster and crab fishing license or a
20 student lobster and crab fishing license under section 6421 to enter the program.

21 **Sec. 5. 12 MRSA §6422, sub-§5** is enacted to read:

22 **5. Exception.** The requirements of this section do not apply to a person who
23 documents to the commissioner that the person is 65 years of age or older and has
24 previously held a Class I, Class II or Class III lobster and crab fishing license.

25 **Sec. 6. 12 MRSA §6431-A, sub-§1,** as amended by PL 2007, c. 201, §12, is
26 repealed and the following enacted in its place:

27 **1. Limit.** Trap limits are as established in this subsection:

28 A. Except as provided in paragraph B, the holder of a Class I, Class II or Class III
29 lobster and crab fishing license or a nonresident lobster and crab landing permit
30 issued under section 6421 may not submerge more than 800 traps.

31 B. The holder of a Class I, Class II or Class III lobster and crab fishing license issued
32 under section 6421, subsection 5, paragraph I may not submerge more than 300 traps.

33 C. If a lower trap limit is adopted by rule for a zone pursuant to section 6446, a
34 license holder who fishes in that zone may not submerge a number of traps that
35 exceeds the lower limit.

