

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1282

H.P. 941

House of Representatives, March 23, 2011

An Act To Increase Fairness in Lobster Fishing Licensure

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative VOLK of Scarborough.

Cosponsored by Representatives: BENNETT of Kennebunk, DILL of Cape Elizabeth, PARRY of Arundel, TILTON of Harrington.

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

2 **Sec. 1. 12 MRSA §6431-F, sub-§2, ¶A**, as amended by PL 2005, c. 239, §2, is
3 further amended to read:

4 A. If the license holder was issued a Class I, Class II or Class III lobster and crab
5 fishing license for the first time after meeting the requirements of the apprentice
6 program under section 6422, the license holder may ~~not purchase more than 300 trap~~
7 ~~tags for the initial license year~~ purchase the number of trap tags that was allowed to a
8 holder of the same class of license at the time that license holder entered the
9 apprentice program. For each following year, the license holder may purchase up to
10 an increase of 100 trap tags each year as long as the total number purchased does not
11 exceed the number of traps allowed under the lowest trap limit established by rule for
12 the zones identified on that person's license pursuant to section 6446, subsection 1-A;
13 and

14 **Sec. 2. 12 MRSA §6448, sub-§2, ¶E**, as amended by PL 2007, c. 204, §6, is
15 repealed.

16 **Sec. 3. 12 MRSA §6448, sub-§2, ¶F**, as enacted by PL 2005, c. 239, §4 and
17 affected by §11, is repealed.

18 **Sec. 4. 12 MRSA §6448, sub-§4**, as enacted by PL 1999, c. 508, §3, is amended
19 to read:

20 **4. Limited-entry zone as declared lobster zone.** A Except as provided in
21 subsection 11, a person may not be issued a Class I, Class II or Class III lobster and crab
22 fishing license that identifies a limited-entry zone as the declared lobster zone unless that
23 person:

24 A. Held in the previous licensing year a Class I, Class II or Class III lobster and crab
25 fishing license that identified that zone as the person's declared lobster zone; or

26 B. Is authorized as a new zone entrant by the commissioner pursuant to subsection 7
27 to declare that zone as the person's declared lobster zone.

28 **Sec. 5. 12 MRSA §6448, sub-§11** is enacted to read:

29 **11. Apprentice licensee; limited-entry zone.** Notwithstanding any provision of this
30 section to the contrary, the commissioner shall allow a person who has completed the
31 requirements of the apprentice program under section 6422 to obtain a Class I, Class II or
32 Class III lobster and crab fishing license that identifies a limited-entry zone as the
33 declared lobster zone and to enter that limited-entry zone in accordance with the limits on
34 new zone entrants that were in place when the person entered the apprentice program.

35 **SUMMARY**

36 This bill allows an individual who has completed the Department of Marine
37 Resources' apprentice program to enter the lobster fishery with the same number of trap
38 tags allowed a license holder at the time of the individual's entrance into the apprentice

1 program, or to enter the lobster fishery with a limited-entry zone as the declared lobster
2 zone based on the limits on new zone entrants that were in effect at the time of the
3 individual's entrance into the apprentice program.