

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 899

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H.P. 622

House of Representatives, March 7, 2013

**An Act Providing for a Noncommercial, Nondomiciled Resident  
Lobster and Crab Fishing License**

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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 CHAPMAN of Brooksville.

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

2 **Sec. 1. 12 MRSA §6001, sub-§30-B** is enacted to read:

3 **30-B. Nondomiciled resident.** "Nondomiciled resident" means a person who:

4 A. Owns property in the State on which property taxes are paid;

5 B. Resides in the State for more than 3 months but less than 6 months each year;

6 C. Pays income tax to the State;

7 D. If registered to vote, is registered in the State;

8 E. If licensed to drive a motor vehicle, is licensed in the State;

9 F. If the owner of one or more motor vehicles located within the State, has registered  
10 at least one of the motor vehicles in the State; and

11 G. When licensed to fish under this Part, fishes on a vessel that is registered in the  
12 State.

13 **Sec. 2. 12 MRSA §6421, sub-§5**, as amended by PL 2011, c. 486, §1, is further  
14 amended to read:

15 **5. Eligibility.** A noncommercial or student lobster and crab fishing license may only  
16 be issued to an individual who is a resident or a nondomiciled resident. A Class I, Class  
17 II or Class III license may be issued to a person 17 years of age or older only if the  
18 person:

19 A. Possessed a Class I, Class II or Class III lobster and crab fishing license in the  
20 previous calendar year;

21 C. Meets the requirements of the apprentice program under section 6422; or

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

25 Notwithstanding the age requirements of this subsection, a person who holds a Class I,  
26 Class II or Class III license on December 31, 2007 may continue to be issued a Class I,  
27 Class II or Class III license provided that person continues to meet the requirements of  
28 paragraph A.

29 **Sec. 3. 12 MRSA §6421, sub-§5-B**, as amended by PL 2003, c. 468, §3, is  
30 further amended to read:

31 **5-B. Noncommercial, nondomiciled resident lobster and crab fishing license**  
32 **eligibility.** Beginning with license year ~~2003~~ 2013, a noncommercial, nondomiciled  
33 resident lobster and crab fishing license may be issued only to a person who, at the time  
34 of application, is 8 years of age or older and has:

35 A. Successfully completed a lobster and crab fishing written examination, as  
36 provided in section 6423; or

1 B. Held a Class I, Class II or Class III lobster and crab fishing license and has landed  
2 lobster under that license.

3 Once a person successfully completes the examination, that person need not repeat the  
4 examination to renew the license.

5 **Sec. 4. 12 MRSA §6421, sub-§7-A, ¶H,** as amended by PL 2009, c. 213, Pt. G,  
6 §2, is further amended to read:

7 H. Sixty-five dollars for a noncommercial lobster and crab fishing license; ~~and~~

8 **Sec. 5. 12 MRSA §6421, sub-§7-A, ¶H-1** is enacted to read:

9 H-1. Two hundred fifty dollars for a noncommercial, nondomiciled resident lobster  
10 and crab fishing license, plus an annual surcharge of \$1,000 designated to the Lobster  
11 Promotion Fund under section 6455; and

12 **Sec. 6. 12 MRSA §6421, sub-§8,** as amended by PL 2009, c. 213, Pt. G, §3, is  
13 further amended to read:

14 **8. Exception.** The fee for a license for ~~an~~ a resident applicant 70 years of age or  
15 older is:

16 A. For a Class I or an apprentice lobster and crab fishing license, \$66;

17 B. For a Class II lobster and crab fishing license, \$136; and

18 C. For a Class III lobster and crab fishing license, \$203.

19 **SUMMARY**

20 This bill creates a noncommercial, nondomiciled resident lobster and crab fishing  
21 license. The holders of these licenses are charged \$250 for a license and an annual  
22 surcharge of \$1,000 designated to the Lobster Promotion Fund.