



## **129th MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2019

**Legislative Document** 

No. 618

H.P. 446

House of Representatives, February 5, 2019

An Act To Remove Nighttime Restrictions on Lobster Fishing in a Certain Area in the Bay of Fundy

(EMERGENCY)

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

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative TUELL of East Machias. Cosponsored by Senator MOORE of Washington and Representatives: ALLEY of Beals, DEVIN of Newcastle, FAULKINGHAM of Winter Harbor, McCREIGHT of Harpswell, McDONALD of Stonington.

- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- 3 **Whereas,** the current legal times for raising and hauling lobster traps are determined 4 based upon sunrise and sunset; and
- 5 **Whereas,** the area described in this Act is fished by Canadians, for whom 6 commercial fishing is not subject to the same restrictions on the raising or hauling of 7 lobster traps; and
- 8 Whereas, it is necessary that this Act take effect by Labor Day in order to take 9 advantage of the fall harvest and in order to allow lobster license holders to fish 10 efficiently and safely and on equal footing with other persons who fish commercially in 11 the area; and
- Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

17 Sec. 1. 12 MRSA §6440, as amended by PL 2017, c. 32, §1, is further amended by 18 adding at the end a new paragraph to read:

Notwithstanding subsection 1, a person may raise or haul any lobster trap from Labor Day to Memorial Day, both days inclusive, during any time of day in an area in the Bay of Fundy that encompasses approximately 70 square miles around Machias Seal Island and where there are overlapping claims of sovereignty between the United States and Canada if that person is authorized to fish in the lobster management zone in which the area described in this paragraph is located.

- Emergency clause. In view of the emergency cited in the preamble, this
  legislation takes effect when approved.
- 27 SUMMARY

This bill allows a person who holds a lobster and crab fishing license to raise and haul lobster traps during any time of day between Labor Day and Memorial Day in an area in the Bay of Fundy encompassing approximately 70 square miles around Machias Seal Island, as long as that person is authorized to fish in that area.