

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1182

H.P. 860

House of Representatives, March 22, 2021

**An Act To Allow Commercial Lobster License Holders To Possess a
Marine Harvesting Demonstration License**

Received by the Clerk of the House on March 18, 2021. Referred to the Committee on Marine Resources pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative FAULKINGHAM of Winter Harbor.

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

2 **Sec. 1. 12 MRSA §6810-A, sub-§1-A**, as enacted by PL 2017, c. 146, §2, is
3 amended to read:

4 **1-A. Eligibility.** A marine harvesting demonstration license may be issued only to an
5 individual, except that a person who holds a ~~Class I, Class II or Class III lobster and crab~~
6 ~~fishing license or a noncommercial lobster and crab fishing license~~ may not be issued a
7 marine harvesting demonstration license.

8 **Sec. 2. 12 MRSA §6810-A, sub-§3**, as enacted by PL 2003, c. 169, §1 and affected
9 by §3, is amended to read:

10 **3. License limitations.** An individual who holds a marine harvesting demonstration
11 license may not sell, retain, ship or transport any portion of the catch and shall release all
12 organisms alive into the area from which the organisms were harvested. A vessel identified
13 under subsection 6 may not be used for the commercial harvest of marine organisms unless
14 the operator of the vessel holds a Class I, Class II or Class III lobster and crab fishing
15 license or as otherwise provided by the department.

16 **Sec. 3. 12 MRSA §6810-A, sub-§4, ¶C** is enacted to read:

17 C. A marine harvesting demonstration license holder who also holds a Class I, Class
18 II or Class III lobster and crab fishing license shall use a different buoy and a different
19 tag for fishing activities under subsection 2 than the buoy the individual uses for
20 commercial harvesting.

21 **Sec. 4. 12 MRSA §6810-A, sub-§7-A**, as enacted by PL 2017, c. 146, §3, is
22 amended to read:

23 **7-A. Closed period exemption.** The holder of a marine harvesting demonstration
24 license is exempt from the prohibition on raising or hauling any lobster trap pursuant to
25 section 6440, subsection 2 when raising or hauling lobster traps from the vessel identified
26 on the marine harvesting demonstration license while engaging in fishing activities under
27 subsection 2.

28 **SUMMARY**

29 This bill allows holders of commercial lobster and crab fishing licenses to hold a
30 marine harvesting demonstration license. The commercial license holders are required to
31 use different buoys and tags for the demonstration harvesting than they use for their
32 commercial harvesting.