

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1742

S.P. 597

In Senate, December 2, 2021

An Act To Ensure Compliance with the Interstate Fishery Management Plan for American Lobster

Submitted by the Department of Marine Resources pursuant to Joint Rule 203.
Received by the Secretary of the Senate on November 30, 2021. Referred to the
Committee on Marine Resources pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MIRAMANT of Knox.

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

2 **Sec. 1. 12 MRSA §6431, sub-§1**, as amended by PL 2011, c. 266, Pt. A, §9, is
3 further amended to read:

4 **1. Minimum and maximum length.** ~~A~~ Except as provided in subsections 1-A and
5 1-B, a person may not buy, sell, give away, transport, ship or possess any lobster that is
6 less than the minimum size established in this subsection 3 1/4 inches or more than 5 inches
7 in length, as determined by the lobster measure certified in accordance with subsection 3.
8 ~~Except as provided in subsection 1-A, the minimum lobster size is 3 8/32 inches.~~

9 **Sec. 2. 12 MRSA §6431, sub-§1-B** is enacted to read:

10 **1-B. Compliance with Interstate Fishery Management Plan.** The commissioner
11 may adopt rules to amend the minimum and maximum lobster size specified in subsection
12 1 when necessary to comply with changes to the Atlantic States Marine Fisheries
13 Commission Interstate Fishery Management Plan for American Lobster. Rules adopted
14 pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375,
15 subchapter 2-A.

16 **Sec. 3. 12 MRSA §6433, sub-§1-A**, as enacted by PL 1985, c. 677, §§4, 6 and 7,
17 is amended to read:

18 **1-A. Adjustment.** Notwithstanding subsection 1, the commissioner shall specify by
19 rule the dimensions of vents in lobster traps which shall that must be appropriate for the
20 minimum legal lobster size in effect pursuant to section 6431. The commissioner may adopt
21 rules to amend the dimensions of vents in lobster traps when necessary to comply with
22 changes to the Atlantic States Marine Fisheries Commission Interstate Fishery
23 Management Plan for American Lobster. Rules adopted pursuant to this subsection are
24 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

25 **SUMMARY**

26 This bill allows the Commissioner of Marine Resources to adopt routine technical rules
27 to amend the minimum and maximum lobster size and the dimensions of vents in lobster
28 traps when necessary to comply with changes to the Atlantic States Marine Fisheries
29 Commission Interstate Fishery Management Plan for American Lobster. The bill also
30 makes other technical changes.