

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Increase Fairness in Lobster Fishing Licensure

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

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

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

Sec. 2. 12 MRSA §6448, sub-§2, ¶E, as amended by PL 2007, c. 204, §6, is repealed.

Sec. 3. 12 MRSA §6448, sub-§2, ¶F, as enacted by PL 2005, c. 239, §4 and affected by §11, is repealed.

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

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

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

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

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

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

SUMMARY

This bill allows an individual who has completed the Department of Marine Resources' apprentice program to enter the lobster fishery with the same number of trap tags allowed a license holder at the time of the individual's entrance into the apprentice program, or to enter the lobster fishery with a limited entry zone as the declared lobster zone based on the limits on new zone entrants that were in effect at the time of the individual's entrance into the apprentice program.