

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 Make Technical Changes to Maine's Marine Resources Laws

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

Sec. 1. 12 MRSA §6404, as amended by PL 2015, c. 172, §6, is further amended to read:

§ 6404. Revocation based on conviction of scrubbing lobsters

The commissioner ~~shall~~may permanently revoke the lobster and crab fishing license, wholesale seafood license and the commercial fishing license of any license holder or the nonresident lobster and crab landing permit of a permit holder convicted in court of violating section 6438-A.

Sec. 2. 12 MRSA §6432-A, sub-§1, as enacted by PL 2005, c. 203, §2 and affected by §3, is amended to read:

1. Offal prohibited. A person may not use offal as bait to fish for or take lobster or crabs. A person may not sell offal for use as bait to fish for or take lobster or crabs. For the purposes of this section, "offal" means the carcass, waste parts, renderings or remains of a wild or domesticated animal that is not a marine organism, but does not include animal hide from which the hair has been removed.

Sec. 3. 12 MRSA §6502-A, sub-§5, as enacted by PL 2009, c. 527, §2, is amended to read:

5. Eligibility. A commercial pelagic and anadromous fishing license may be issued only to an individual who is a resident, except that a license may be issued to a nonresident who documents to the commissioner that the nonresident's state of residence allows Maine residents to purchase a license and fish for pelagic and anadromous species in that state.

Sec. 4. 12 MRSA §6810-A, sub-§7-A is enacted to read:

7-A. Closed period exemption. The holder of a marine harvesting demonstration license is exempt from the prohibition on raising or hauling any lobster trap pursuant to section 6440, subsection 2 when raising or hauling lobster traps from the vessel identified on the marine harvesting demonstration license.

SUMMARY

This bill makes technical changes to Maine's marine resources laws. It clarifies that license revocation for a conviction of scrubbing egged lobsters may be permanent. It prohibits the sale of offal for use as bait to fish for or take lobsters or crabs. It creates a residency requirement for a commercial pelagic and anadromous fishing license, but allows for licensure of a nonresident if an applicant documents that the applicant's state of residence allows Maine residents to purchase a license and fish for pelagic and anadromous species in that state. Finally, it exempts the holder of a marine harvesting demonstration license from the prohibition on hauling on Sundays in the summer.