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Legislative Document

No. 1207

H.P. 843

House of Representatives, March 28, 2017

**An Act To Make Technical Changes to Maine's Marine Resources
Laws**

Submitted by the Department of Marine Resources pursuant to Joint Rule 204.
Reference to the Committee on Marine Resources suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative TUELL of East Machias.

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

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

4 **§6404. Revocation based on conviction of scrubbing lobsters**

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

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

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

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

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

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

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

28 **SUMMARY**

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