

**§6474. Fishing without Monhegan trap tags prohibited**

**1. Prohibition.** A person may not submerge a lobster trap in the Monhegan Lobster Conservation Area unless a lobster trap tag designated for use in the Monhegan Lobster Conservation Area is affixed to the trap. The commissioner shall charge fees and deposit those fees for Monhegan Lobster Conservation Area trap tags in accordance with section 6431-B.

[PL 2001, c. 421, Pt. B, §23 (AMD); PL 2001, c. 421, Pt. C, §1 (AFF).]

**2. Trap tag expiration.** Trap tags issued for use during a Monhegan Lobster Conservation Area open season expire upon the closing of that season.

[PL 1997, c. 574, §4 (NEW).]

**3. Trap tag eligibility for the 1998-99 open season.**

[PL 2011, c. 486, §7 (RP).]

**4. Trap tag eligibility.** Except as provided under subsection 5, the commissioner may not issue Monhegan Lobster Conservation Area trap tags to a person unless that person:

A. Registered with the commissioner to purchase Monhegan Lobster Conservation Area trap tags for the prior open season, documents to the commissioner that the person harvested lobsters from the Monhegan Lobster Conservation Area in the prior open season and registers with the commissioner during the period between June 26th and August 1st immediately following the prior open season for Monhegan Lobster Conservation Area trap tags for the subsequent open season; [PL 1997, c. 574, §4 (NEW).]

B. Registered with the commissioner to purchase Monhegan Lobster Conservation Area trap tags for the prior open season, documents to the commissioner that that person did not harvest lobsters from the Monhegan Lobster Conservation Area in the prior open season because of an illness or medical condition and registers with the commissioner during the period between June 26th and August 1st immediately following the prior open season for Monhegan Lobster Conservation Area trap tags for the subsequent open season; or [PL 1997, c. 574, §4 (NEW).]

C. Meets the requirements of section 6448, subsection 8, paragraph E to enter a limited-entry program established for Monhegan Island pursuant to section 6449 and registers for Monhegan Lobster Conservation Area trap tags. [PL 2011, c. 486, §8 (AMD).]

[PL 2011, c. 486, §8 (AMD).]

**5. License suspension and eligibility.** A person eligible to register for Monhegan Lobster Conservation Area trap tags under subsection 4, paragraph A if not for the suspension of that person's Class I, Class II or Class III lobster and crab fishing license may not, for the purpose of admitting new registrants, be considered to have failed to register pursuant to section 6475, subsection 1, paragraph C, subparagraph (3). Upon reinstatement of that person's license, that person is deemed registered and the commissioner may issue trap tags to that person, unless that person notifies the commissioner before reinstatement that the person chooses to not be registered.

[PL 1997, c. 574, §4 (NEW).]

**6. Limit on number of registrants.** The total number of individuals registered to obtain Monhegan Lobster Conservation Area trap tags may not exceed 17.

[PL 2011, c. 486, §9 (AMD).]

**7. Periods of registration.** Monhegan Lobster Conservation Area registrations are valid as follows.

A. [PL 2011, c. 486, §10 (RP).]

B. A person registered under subsection 4, paragraph A or B is registered for the entire period from August 1st of the year of registration until the following July 31st. [PL 1997, c. 574, §4 (NEW).]

C. A person registered under subsection 4, paragraph C is registered for the entire period from the date of registration until the following July 31st. [PL 1997, c. 574, §4 (NEW).]

D. A person registered under section 5 through the reinstatement of a suspended license is registered for the entire period from the date of license reinstatement until the following July 31st. [PL 1997, c. 574, §4 (NEW).]

[PL 2011, c. 486, §10 (AMD).]

**8. Violation.** A person who violates this section commits a civil violation for which a forfeiture of not less than \$100 nor more than \$500 may be adjudged.

[PL 2001, c. 421, Pt. B, §24 (NEW); PL 2001, c. 421, Pt. C, §1 (AFF).]

**9. Exception.** Notwithstanding subsection 1, a person may submerge a lobster trap in the Monhegan Lobster Conservation Area that does not have a trap tag designated for use in the Monhegan Lobster Conservation Area if that person holds a noncommercial lobster and crab fishing license issued pursuant to section 6421, subsection 1, paragraph F and does not otherwise hold a lobster and crab fishing license.

[PL 2011, c. 486, §11 (NEW).]

#### SECTION HISTORY

PL 1997, c. 574, §4 (NEW). PL 2001, c. 421, §§B23,24 (AMD). PL 2001, c. 421, §C1 (AFF). PL 2007, c. 615, §14 (AMD). PL 2011, c. 486, §§7-11 (AMD).

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