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An Act To Allow a Person 65 Years of Age or Older To Obtain a Lobster License without Completing the Apprenticeship Program

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

Sec. 1. 12 MRSA §6421, sub-§5, ¶C, as corrected by RR 2001, c. 2, Pt. A, §14, is amended to read:

C. Meets the requirements of the apprenticeship program under section 6422 or section 6475; or

Sec. 2. 12 MRSA §6421, sub-§5, ¶D, as corrected by RR 2001, c. 2, Pt. A, §15, is amended to read:

D. Did not possess a Class I, Class II or Class III lobster and crab fishing license in the previous calendar year because the commissioner had suspended the person's license privileges for a length of time that included the previous calendar year; or

Sec. 3. 12 MRSA §6421, sub-§5, ¶I is enacted to read:

I. Is 65 years of age or older and previously possessed a Class I, Class II or Class III lobster and crab fishing license.

Sec. 4. 12 MRSA §6422, sub-§1, as amended by PL 2003, c. 468, §6, is further amended to read:

1. Program established; experience component. ~~By July 1, 1996, the~~The commissioner shall establish by rule an apprenticeship program for entry into the lobster fishery. The program must include practical lobster fishing experience. A person must be 8 years of age or older and hold an apprenticeship lobster and crab fishing license or a student lobster and crab fishing license under section 6421 to enter the program.

Sec. 5. 12 MRSA §6422, sub-§5 is enacted to read:

5. Exception. The requirements of this section do not apply to a person who documents to the commissioner that the person is 65 years of age or older and has previously held a Class I, Class II or Class III lobster and crab fishing license.

Sec. 6. 12 MRSA §6431-A, sub-§1, as amended by PL 2007, c. 201, §12, is repealed and the following enacted in its place:

1. Limit. Trap limits are as established in this subsection:

A. Except as provided in paragraph B, the holder of a Class I, Class II or Class III lobster and crab fishing license or a nonresident lobster and crab landing permit issued under section 6421 may not submerge more than 800 traps.

B. The holder of a Class I, Class II or Class III lobster and crab fishing license issued under section 6421, subsection 5, paragraph I may not submerge more than 300 traps.

C. If a lower trap limit is adopted by rule for a zone pursuant to section 6446, a license holder who fishes in that zone may not submerge a number of traps that exceeds the lower limit.

D. The number of traps fished from a vessel may not exceed the applicable trap limit established in this subsection, regardless of the number of license holders fishing from that vessel.

SUMMARY

This bill allows a person 65 years of age or older who previously held a Class I, Class II or Class III lobster and crab fishing license to be issued a Class I, Class II or Class III lobster and crab fishing license without completing the apprentice program. The bill limits the number of traps such a license holder may submerge to 300 traps.