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Date: (Filing No. H- )

**MARINE RESOURCES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 711, L.D. 956, Bill, “An Act To Allow Student License Holders To Fish for or Take Lobsters during a Closed Season”

Amend the bill by striking out the title and substituting the following:

**'An Act To Allow Student License Holders in the Monhegan Lobster Conservation Area To Fish for or Take Lobsters during a Closed Season'**

Amend the bill by striking out everything after the title and inserting the following:

**'Emergency preamble. Whereas,** acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** it is important for a student license holder to gain experience during the summer months when it is safer to fish and when that license holder is not in school; and

**Whereas,** it is necessary that this legislation take effect by June 26, 2019 in order for a student license holder in the Monhegan Lobster Conservation Area to be able to fish for or take lobster during the interim between school years; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 12 MRSA §6421, sub-§3-A, ¶E,** as amended by PL 2015, c. 68, §3, is further amended to read:

E. A student license authorizes the license holder to engage in the licensed activities under subsection 2. A student license may be issued only to a person who, at the time of application, is 8 years of age or older and under 23 years of age. A Except as provided in section 6477, a person issued a student license may not submerge more than:

**COMMITTEE AMENDMENT**

- 1 (1) Ten lobster traps in the coastal waters of the State if the person is 8 years of  
2 age or older and under 11 years of age;
- 3 (2) Fifty lobster traps in the coastal waters of the State if the person is 11 years  
4 of age or older and under 14 years of age; or
- 5 (3) One hundred and fifty lobster traps in the coastal waters of the State if the  
6 person is 14 years of age or older and under 23 years of age.

7 A person issued a student license is enrolled in the apprentice program under section  
8 6422. When applying for a license the person must designate a sponsor and may  
9 designate up to 3 sponsors. For the purposes of this paragraph, "sponsor" means a  
10 person who holds a Class I, Class II or Class III lobster and crab fishing license  
11 issued under this section.

12 **Sec. 2. 12 MRSA §6472, sub-§1**, as amended by PL 2007, c. 219, §2, is further  
13 amended to read:

14 **1. Closed season.** ~~It~~ Except as provided in section 6477, it is unlawful for a person  
15 to fish for or take lobsters in the Monhegan Lobster Conservation Area from June 26th to  
16 ~~August 31st~~ September 30th, both days inclusive, and on any day not included in the  
17 open season established by the commissioner under subsection 2.

18 **Sec. 3. 12 MRSA §6477**, as enacted by PL 1997, c. 574, §4, is repealed and the  
19 following enacted in its place:

20 **§6477. Student license holder**

21 **1. Trap tags.** Notwithstanding section 6474, a person issued a student license under  
22 section 6421 may not be issued by the commissioner more than:

23 A. Ten Monhegan Lobster Conservation Area trap tags in the Monhegan Lobster  
24 Conservation Area if the person is 8 years of age or older and under 11 years of age;

25 B. Twenty-five Monhegan Lobster Conservation Area trap tags in the Monhegan  
26 Lobster Conservation Area if the person is 11 years of age or older and under 14  
27 years of age; or

28 C. Fifty Monhegan Lobster Conservation Area trap tags in the Monhegan Lobster  
29 Conservation Area if the person is 14 years of age or older and under 23 years of age.

30 The license holder must tend the tagged traps from a vessel operated by a person  
31 registered under section 6474. The student license holder must be present when that  
32 license holder's lobster traps are tended. A student license holder shall certify on forms  
33 supplied by the commissioner that a person registered under section 6474 authorizes the  
34 student license holder to fish for or take lobsters from that person's vessel.

35 **2. Student fishing during the closed season.** Notwithstanding section 6472,  
36 subsection 1, a person with a student license issued pursuant to section 6421 who is  
37 issued trap tags pursuant to this section is authorized to fish for or take lobsters in the  
38 Monhegan Lobster Conservation Area during the closed season if that closed season  
39 occurs during an interim between school years.

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**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment strikes and replaces the title and bill.

Like the bill, this amendment allows a person with a student lobster and crab fishing license to fish for or take lobster during a closed season on fishing for or taking lobsters if that closed season occurs during an interim between school years, except this amendment limits the permission to a student license holder issued trap tags to fish only in the Monhegan Lobster Conservation Area and that student may fish only during the closed season in the Monhegan Lobster Conservation Area. This amendment changes the number of Monhegan Lobster Conservation Area trap tags that may be issued by the commissioner to a student license holder from 15 to 10 for a student license holder if that person is 8 years of age or older and under 11 years of age; 25 for a student license holder if that person is 11 years of age or older and under 14 years of age; and 50 for a student license holder if that person is 14 years of age or older and under 23 years of age.

This amendment also adds an emergency preamble and emergency clause so that this legislation will take effect in time for a Monhegan Lobster Conservation Area student license holder to fish for lobster during the summer months.

**FISCAL NOTE REQUIRED**

**(See attached)**