



129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 2098

H.P. 1495

House of Representatives, February 6, 2020

**An Act To Remove Nighttime Restrictions on Lobster Fishing in a
Certain Area in the Bay of Fundy**

Reported by Representative McCREIGHT of Harpswell for the Joint Standing Committee on Marine Resources pursuant to Resolve 2019, chapter 23, section 2.

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

ROBERT B. HUNT
Clerk

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

2 **Sec. 1. 12 MRSA §6440**, as amended by PL 2017, c. 32, §1, is further amended by
3 adding at the end a new paragraph to read:

4 Notwithstanding subsection 1, a person may raise or haul any lobster trap from
5 September 1st to October 31st, both days inclusive, during any time of the day in an area
6 in the Bay of Fundy that encompasses approximately 210 square miles around Machias
7 Seal Island where there are overlapping claims of sovereignty by the United States and
8 Canada if that person is authorized to fish in the lobster management zone established
9 pursuant to section 6446 in which the area described is located. The commissioner shall
10 define this area in rule to ensure that the boundaries of this area are clearly delineated.
11 Rules adopted pursuant to this section regarding the boundaries of the area are routine
12 technical rules as defined in Title 5, chapter 375, subchapter 2-A.

13 **SUMMARY**

14 This bill is reported out by the Joint Standing Committee on Marine Resources
15 pursuant to Resolve 2019, chapter 23, section 2. The resolve directed the Commissioner
16 of Marine Resources to allow a person to raise or haul any lobster trap from September 1,
17 2019 to October 31, 2019 during any time of the day in an area in the Bay of Fundy,
18 referred to as "the gray zone," that encompasses approximately 210 square miles around
19 Machias Seal Island where there are overlapping claims of sovereignty by the United
20 States and Canada if that person is authorized to fish in the lobster management zone in
21 which the area described is located. The resolve required the commissioner to submit a
22 report to the committee describing the results of this limited allowance, and this bill
23 implements the findings of that report.

24 This bill allows a person who holds a lobster and crab fishing license to raise or haul
25 any lobster trap during any time of the day from September 1st to October 31st in the
26 gray zone if that person is authorized to fish in that area. The bill also requires the
27 commissioner to define this area in rule to ensure that the boundaries of this area are
28 clearly delineated.

29 **FISCAL NOTE REQUIRED**

30 **(See attached)**



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LD 2098

LR 3204(01)

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**Fiscal Note for Original Bill
Committee: Marine Resources
Fiscal Note Required: Yes**

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

This bill allows lobster and crab fishing licensees who are authorized to fish in a specific area of the Bay of Fundy that is subject to overlapping claims of sovereignty between the United States and Canada to commercially fish at any time of day between September 1st to October 31st. The bill also requires the Department of Marine Resources (DMR) to conduct rulemaking to define the boundaries of the specific area subject to overlapping sovereignty. Any additional costs to the DMR as a result of this bill are anticipated to be minor and can be absorbed within existing budgeted resources.