

**§6472. Closed and open seasons; trap limit**

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

[PL 2019, c. 210, §2 (AMD).]

**2. Open season.** The commissioner shall establish by rule an open season not to exceed 250 days between October 1st and the following June 25th during which a person may fish for or take lobsters in the Monhegan Lobster Conservation Area.

A. Before establishing or amending the open season under this section, the commissioner shall determine the open season preferred by 2/3 of the individuals registered to obtain Monhegan Lobster Conservation Area trap tags under section 6474. The commissioner may accept the preferences proposed by 2/3 of the registrants as reasonable and adopt those preferences or reject the preferences as unreasonable. The commissioner shall consult with the lobster management policy council for Zone D before making this decision. [PL 2007, c. 219, §2 (AMD).]

B. In adopting rules under this subsection, the commissioner is not required to hold a public hearing on the rules pursuant to Title 5, section 8052. [PL 1997, c. 574, §4 (NEW).]

C. A person may not petition the commissioner pursuant to Title 5, section 8055 for the adoption or modification of a rule establishing the open lobster season in the Monhegan Lobster Conservation Area. [PL 1997, c. 574, §4 (NEW).]

D. Notwithstanding any provisions to the contrary, the commissioner may adopt rules under this subsection without the advice and consent of the Marine Resources Advisory Council. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A. [PL 2007, c. 219, §2 (AMD).]

[PL 2007, c. 219, §2 (AMD).]

**3. Trap limit.** The trap limit for the open season established pursuant to subsection 2 is 400 traps per individual registered to obtain Monhegan Lobster Conservation Area trap tags under section 6474.

A. [PL 2011, c. 486, §5 (RP).]

B. [PL 2011, c. 486, §5 (RP).]

C. [PL 2011, c. 486, §5 (RP).]

D. [PL 2011, c. 486, §5 (RP).]

[PL 2011, c. 486, §5 (AMD).]

**SECTION HISTORY**

PL 1997, c. 574, §4 (NEW). PL 2007, c. 219, §2 (AMD). PL 2011, c. 486, §5 (AMD). PL 2019, c. 210, §2 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.