

Section 1 Header

2012 SESSION

12-2312.1

10/01

HOUSE BILL *[bill number]*

AN ACT relative to special licenses for taking lobster while engaged in recreational scuba diving.

SPONSORS: [sponsors]

COMMITTEE: [committee]

ANALYSIS

This bill allows the fish and game department to issue special licenses for non-commercial taking of lobsters while engaged in recreational scuba diving.

.....

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

Section 2 Header

12-2312.1

10/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT relative to special licenses for taking lobster while engaged in recreational scuba diving.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Lobster Licenses; Recreational Scuba Diving Endorsement. Amend RSA 211:18, III(a) to read
2 as follows:

3 (a) If a person is a resident of this state and does not take lobsters or crabs for the
4 purpose of sale and does not use more than 5 traps, the person may receive a recreational lobster and
5 crab license. ***The total number of licenses issued under this subparagraph may be limited by***
6 ***the executive director, but shall be not less than 100 each year.***

7 2 New Paragraph; Special Lobster License; Scuba Diving. Amend RSA 211:18 by inserting after
8 paragraph III-b the following new paragraph:

9 III-c. For an additional \$15 fee, a person holding a recreational license under subparagraph
10 III(a), who has paid the fee in subparagraph III-a(g), who wishes to engage in scuba diving as a
11 recreational and not commercial activity, and who is in compliance with RSA 270:31 through 32-a,
12 and has attained age 18 years of age, shall be permitted to take lobsters under a special license
13 endorsement of the license issued by the executive director under subparagraph III(a).

14 (a) The scuba diving endorsement shall be valid for the month of September only. No
15 taking of lobsters shall occur between the hours of 1/2 hour after sunset and 1/2 hour before sunrise.

16 (b) The total number of scuba diving endorsements issued under this subparagraph may
17 be limited by the executive director, but shall be not less than 100 each year. The license
18 endorsement shall consist of letters and/or numbers which the person engaged in scuba diving shall
19 affix to his or her diving tanks and regulation dive flag in a contrasting color making it readily
20 visible to a conservation officer.

21 (c) The number of lobsters taken per day by scuba diver holding an endorsement under
22 this subparagraph shall not exceed 5 per licensee and shall be taken only for the consumption by the
23 licensee, and the licensee's family and guests. No person shall at any time take any lobsters by any
24 methods except by hand. Use of a tickle stick, which is a straight or slightly bent stick used to
25 agitate a lobster into coming out of its hole, shall be permitted. Prohibited methods shall include
26 spearing by the use of spear gun, pole spear, or any other object that may be used to pierce the shell
27 of the lobster as a means of harvest, dipping by the use of a dip net, dragging by the use of mobile or
28 hauled nets or dredges, or snaring by the use of poles with loops. Under no circumstances, are traps
29 of others to be touched by a scuba diver.

30 (d) The license and endorsement may not be transferred to any other person.

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1 (e) The executive director shall adopt rules for the issuance of the endorsements under
2 this paragraph, and rules governing the sex and size of lobsters allowed to be taken under this
3 paragraph provided such rules conform with requirements applicable to commercial lobster license
4 holders. A person who violates any rules relative to the recreational scuba endorsement shall be
5 subject to a fine to be imposed by the executive director and revocation of any license and
6 endorsement under this paragraph for a period determined by the executive director.

7 3 Effective Date. This act shall take effect July 1, 2012.