

CHAPTER 101
SB 70 – FINAL VERSION

15Apr2015... 1206h

2015 SESSION

15-0647
10/01

SENATE BILL **70**

AN ACT relative to the processing of lobster tails.

SPONSORS: Sen. Stiles, Dist 24; Sen. Bradley, Dist 3; Sen. Watters, Dist 4; Sen. Fuller Clark,
Dist 21; Rep. Pantelakos, Rock 25; Rep. Bush, Rock 31; Rep. Abramson, Rock 20

COMMITTEE: Public and Municipal Affairs

AMENDED ANALYSIS

This bill allows the processing of uncooked shell-on lobster tails for sale in New Hampshire.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT relative to the processing of lobster tails.

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

1 101:1 Lobster; Legal Length. Amend RSA 211:27, I to read as follows:

2 I. No person may transport, buy, sell, give away, or expose for sale, or possess for any
3 purpose, any lobster less than the minimum legal length alive or dead, cooked or uncooked,
4 measuring from the rear of the eye socket along a line parallel to the center line of the body shell to
5 the rear end of the body shell. The minimum legal length shall be determined in rules adopted by
6 the executive director under RSA 211:62. ***This paragraph shall not apply to uncooked shell-on***
7 ***lobster tails processed onshore in a New Hampshire facility permitted under RSA 211:38-a***
8 ***or a similar facility outside of New Hampshire.***

9 101:2 Mutilated Lobsters; Exception. Amend RSA 211:30 to read as follows:

10 211:30 Mutilated Lobsters. The possession of lobsters, or parts thereof, alive or dead, cooked or
11 uncooked, mutilated in such manner as to make accurate measurements as prescribed in this
12 chapter impossible, shall be prima facie evidence that they are not of required legal length. Provided
13 that this section shall not apply to:

14 ***I.*** Hotels, restaurants, or individuals having in possession chopped lobster meat as provided
15 in RSA 211:28 or lobster processed under a lobster tail permit in accordance with RSA 211:38-a.

16 ***II.*** ***Uncooked shell-on lobster tails processed outside of New Hampshire and offered***
17 ***for sale in this state.***

18 101:3 Lobster Tail Permit; Processing. Amend RSA 211:38-a, I to read as follows:

19 I. Any person who is licensed to engage in the wholesale trade of marine species in
20 accordance with RSA 211:49-c may engage in the processing of lobster tails after procuring from the
21 executive director a lobster tail permit. The lobster tail permit authorizes the licensee to remove a
22 lobster tail from a legal sized lobster, as defined in RSA 211:27, I and II, and process that ***shell-on***
23 whole and intact lobster tail. No lobster greater than the maximum legal length as described in
24 RSA 211:27, III shall be used for lobster tail processing. Processing shall only be conducted at the
25 one location or place of business which is listed on the lobster tail permit. All containers in which
26 ***shell-on*** lobster tails are packed to be sold, shipped, or transported must be clearly labeled with the
27 name, address, and permit number of the packer along with a description of the product. ~~The~~
28 ~~processing and possession of these lobster tails shall be permitted only for distribution outside~~
29 ~~New Hampshire.]~~

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1 101:4 Effective Date. This act shall take effect January 1, 2016.

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3 Approved: June 5, 2015

4 Effective Date: January 1, 2016