

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Preserve the Cobscook Bay Scallop Fishery

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

Sec. 1. 12 MRSA §6404-F is enacted to read:

§ 6404-F. Suspension based on 3 or more convictions of the scallop fishing laws in Cobscook Bay

The commissioner shall suspend the hand fishing scallop license or other license issued under this Part authorizing the taking of scallops of any license holder convicted in court of a 3rd or subsequent violation of chapter 623, subchapter 2 in Cobscook Bay. The suspension must be for at least one year from the date of conviction and may be up to 3 years.

Sec. 2. 12 MRSA §6728, sub-§3, as enacted by PL 2001, c. 192, §1, is repealed.

Sec. 3. 12 MRSA §6728-B is enacted to read:

§ 6728-B. Penalties for violation of the scallop fishing laws in Cobscook Bay

1. Violation. A person who violates any provision of this subchapter in Cobscook Bay commits a civil violation. Notwithstanding any other provisions in this subchapter, the following penalties apply:

- A. For the first offense, a mandatory fine of \$500 is imposed and all scallops on board may be seized;
- B. For the second offense, a mandatory fine of \$750 is imposed and all scallops on board may be seized; and
- C. For each subsequent offense, a mandatory fine of \$750 is imposed and all scallops on board may be seized. This penalty is imposed in addition to the penalty imposed under section 6404-F.

SUMMARY

This bill requires the suspension of a person's scallop fishing license if that person is convicted of 3 or more violations of the scallop fishing laws in Cobscook Bay. The bill also establishes mandatory fines and allows for the seizure of all scallops on board for violations of the scallop fishing laws in Cobscook Bay.