

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 Make Lobster Trap Molesting a Civil Offense

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

Sec. 1. 12 MRSA §6434, sub-§3, as amended by PL 2003, c. 520, §5, is further amended to read:

3. Using another's lobster gear; prohibition. Traps, warps, buoys or cars may not be used for fishing by any person other than the licensed owner unless ~~with~~that person has written permission from the commissioner.

Sec. 2. 12 MRSA §6434, sub-§3-A is enacted to read:

3-A. Penalty. A person who violates this section commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

Sec. 3. 12 MRSA §6434, sub-§4, as amended by PL 2003, c. 520, §5, is further amended to read:

4. Restitution. If the holder of a lobster and crab fishing license violates this section by cutting a lobster trap line, the court shall:

- A. Order that person to pay to the owner of the trap line that was cut an amount equal to twice the replacement value of all traps lost as a result of that cutting; and
- B. Direct that person to provide proof of payment of that restitution to the commissioner as required by section 6402, subsection 1.

~~A penalty~~Restitution imposed under this subsection is in addition to any penalty imposed under ~~section 6204~~subsection 3-A.

Effective September 20, 2007