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Public Law
123rd Legislature
First Regular Session

Chapter 283
H.P. 18 - L.D. 16

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 withthat 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