

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1566

H. P. 1215

House of Representatives, March 22, 1973

Referred to Committee on Marine Resources. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Greenlaw of Stonington.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT to Allow Coastal Wardens to Inspect Licensees.

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

Sec. 1. R. S., T. 12, § 3751, sub-§ 8, additional. Section 3751 of Title 12 of the Revised Statutes, as amended by section 2 of chapter 33 of the public laws of 1965, is further amended by adding a new subsection 8, to read as follows:

8. License holder consents to inspection. Whoever applies for and is issued any license or permit issued by the commissioner thereby consents to the inspection and search of all his boats, vehicles and buildings, and any box, bag or other container found in his possession which may be used in connection with the business, act or activity covered by the license or permit issued and for the seizure of contraband and evidence therein found. No dwelling house may be searched without a search warrant, and then only in the daytime.

Sec. 2. R. S., T. 12, § 4551, sub-§ 1, ¶ A, additional. Subsection 1 of section 4551 of Title 12 of the Revised Statutes, as repealed and replaced by section 8 of chapter 431 of the public laws of 1965, and as amended by chapter 301 of the public laws of 1971, is further amended by adding a new paragraph A to read as follows:

A. Whoever applies for and is issued any license or permit issued by the commissioner thereby consents to the boarding of all his boats, the inspection and search of all his boats, vehicles and buildings, and any box, bag or other container found therein or in his possession which may be used in connection with the business, act or activity covered by the license or permit, by any coastal warden in uniform, and consents to the seizure of any

contraband as defined in section 4552 therein found, and the seizure of any evidence of the violation of any law or regulation pertaining to sea and shore fisheries therein found. No dwelling house may be searched without a search warrant, and then only in the daytime.

STATEMENT OF FACT

This document would provide for a system of inspection for all holders of licenses or permits issued by the Commissioner of Sea and Shore Fisheries, giving the Coastal Warden Service the authority necessary to carry out their duties for the protection of the State's commercial fishing industry.