

# MAINE STATE LEGISLATURE

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R. O. S.

L.D. 1130

(Filing No. S-234 )

STATE OF MAINE  
SENATE  
114TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A" to S.P. 419, L.D. 1130, Bill, "An Act Dealing with Removal of Dislodged Lobster Gear"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'12 MRSA §6434, as enacted by PL 1977, c. 661, §5, is repealed and the following enacted in its place:

§6434. Molesting lobster gear

No person may raise, lift, transfer, possess or in any manner molest any lobster trap, warp, buoy or car except as provided in this section.

1. Permitted activities. Lobster traps, warps, buoys and cars may be raised, lifted, transferred, possessed or otherwise molested by the following:

A. A marine patrol officer;

B. The licensed owner;

C. Any person having written permission from the licensed owner; and

D. Any person authorized by rule pursuant to subsection 2.

2. Promulgation of rules required. The commissioner shall promulgate rules, no later than January 1, 1990, authorizing the removal of traps, warps, buoys or cars that are washed up above the mean low tide mark or are otherwise abandoned or lost.

3. Prohibition. Traps, warps, buoys or cars may not be used for fishing by any person other than the licensed owner.

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**FISCAL NOTE**

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5       It is anticipated that all costs associated with this  
legislation would be absorbed by the Department of Marine  
Resources utilizing existing resources.'

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**STATEMENT OF FACT**

11       This amendment changes the original bill to require the  
Commissioner of Marine Resources to promulgate rules to allow the  
13       removal of abandoned lobster gear. It also prohibits anyone  
other than the licensed owner from fishing with that gear. The  
15       amendment also adds a fiscal note.

Reported by Senator Brannigan for the Committee on Marine  
Resources. Reproduced and Distributed Pursuant to Senate  
Rule 12.

(6/8/89)

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