

MAINE STATE LEGISLATURE

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L.D. 1114

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DATE: 6/13/95

(Filing No. H- 467)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION

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HOUSE AMENDMENT "B" to H.P. 797, L.D. 1114, Bill, "An Act to Amend the Law Regarding the Possession of Short Lobsters"

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

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'Sec. 1. 12 MRSA §6402-B, as enacted by PL 1993, c. 550, §1, is amended to read:

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§6402-B. Suspension based on 2 or more convictions of possessing short lobsters

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Notwithstanding section 6401, subsection 2, the commissioner shall suspend the lobster and crab fishing license of any ~~licenseholder~~ license holder convicted of a 2nd or subsequent offense of possessing a lobster smaller than the minimum size established in section 6431, subsection 1 if the conviction of the 2nd or subsequent offense involved possession of 3 or more lobsters smaller than that minimum size. ~~The suspension is for a period of 3 years from the date of conviction.~~

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1. Second offense. For a 2nd conviction the commissioner shall suspend the license for at least one year from the date of conviction and may suspend the license for up to 3 years.

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2. Third or subsequent offense. For a 3rd or subsequent conviction, the commissioner shall suspend the license for 3 years from the date of conviction and may permanently revoke the license holder's license.

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HOUSE AMENDMENT "B" to H.P. 797, L.D. 1114

2 3. Offenses after July 1, 1994. Subsections 1 and 2 apply
3 only if that person's first conviction for possessing a lobster
4 smaller than the minimum size established in section 6431,
5 subsection 1 was for an offense that occurred after July 1, 1994.'

6 Further amend the bill by inserting at the end before the
7 statement of fact the following:

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FISCAL NOTE

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Changes in the length of certain mandatory suspensions for
lobster and crab fishing licenses may result in insignificant
increases of General Fund revenue from license fees.'

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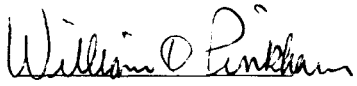
STATEMENT OF FACT

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The amendment replaces the language of the original bill.
It amends the law concerning the mandatory suspension of a
lobster and crab fishing license when a license holder is
convicted of a 2nd or subsequent offense of possessing short
lobsters. The mandatory suspension has been changed to include a
minimum suspension of one year and no more than 3 years for a 2nd
offense and a suspension of 3 years or a permanent license
revocation for a 3rd subsequent offense if the conviction
involves the possession of 3 or more short lobsters. It also
changes current law by requiring the first conviction to occur
after July 1, 1994 and adds a fiscal note to the bill.

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SPONSORED BY: 
(Representative PINKHAM)

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TOWN: Lamoine

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