

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 801

S.P. 283

In Senate, January 28, 1999

An Act to Strengthen Marine Fisheries Conservation Protection.

Submitted by the Department of Marine Resources pursuant to Joint Rule 204.
Reference to the Committee on Marine Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representative HONEY of Boothbay and
Senator MacKINNON of York, Representatives: LEMONT of Kittery, McNEIL of Rockland,
USHER of Westbrook, VOLENIK of Brooklin.

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

4 **Sec. 1. 15 MRSA §891**, as amended by PL 1995, c. 694, Pt. D,
§22 and affected by Pt. E, §2, is further amended to read:

6 **§891. Dismissal on satisfaction of private injury;
8 discharge of bail**

10 When a person has been admitted to bail or is committed by a
12 judge, or is indicted or held upon a complaint and warrant for an
14 assault or other Class D or E crime, as defined by Title 17-A,
16 section 4-A, for which the party injured has a remedy by civil
18 action, except aggravated assaults, assaults upon or resistance
20 of a law enforcement officer as defined by Title 17-A in the
22 execution of a law enforcement officer's duty, assaults of those
24 officers ~~and~~ crimes involving family or household members as
defined in Title 19-A, chapter 101, ~~and molesting lobster gear
pursuant to Title 12, chapter 619~~, if the injured party appears
before the judge or court, and in writing acknowledges
satisfaction for the injury, the court, on payment of all costs,
may stay further proceedings and discharge the defendant. The
judge may exonerate the bail and release the obligors, supersede
the commitment by written order and exonerate the bail of the
witnesses.

26 **SUMMARY**

28 Current law allows an aggrieved party to settle a charge
30 against a defendant allowing the defendant to avoid adjudication
32 and possible conviction. Certain crimes may not be resolved in
this manner.

34 This bill adds the crime of molesting lobster gear as a
36 crime that can not be resolved by agreement between the aggrieved
party and the defendant.