

# MAINE STATE LEGISLATURE

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**MARINE RESOURCES**

Reported by:

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**STATE OF MAINE  
SENATE  
120TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "*A*" to S.P. 383, L.D. 1280, Bill, "An Act Concerning the Enforcement of Laws Relating to Scalloping"

Amend the bill by striking out the title and substituting the following:

**'An Act Concerning the Enforcement of Laws Relating to Scalloping in Cobscook Bay'**

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

**'Sec. 1. 12 MRSA §6728 is enacted to read:**

**§6728. Limits in Cobscook Bay**

**1. Daily limit; rules.** In the coastal waters northerly and inshore of the international bridge that connects Lubec to Campobello Island, New Brunswick, Canada, it is unlawful to fish for, take or possess more than 15 gallons of scallop meat per day. Under this subsection it is unlawful to unload any portion of a day's catch and return to fishing. The department shall establish by rule a bushel limit of shellstock that is equivalent to 15 gallons of meat. The department shall also establish by rule a method to allow harvesters to land and possess scallops in

2 Cobscook Bay that are taken outside the area defined in this  
3 subsection. Rules adopted pursuant to this subsection are  
4 routine technical rules as defined in Title 5, chapter 375,  
5 subchapter II-A.

6 2. Culling required. In the coastal waters northerly and  
7 inshore of the international bridge that connects Lubec to  
8 Campobello Island, New Brunswick, Canada, it is unlawful to  
9 possess, ship, transport, buy or sell scallops that are less than  
10 3 1/2 inches in the longest diameter. Those scallops that are  
11 less than 3 1/2 inches must be immediately liberated. It is  
12 prima facie evidence of possession of illegal scallops if a  
13 vessel contains scallops less than 3 1/2 inches while a scallop  
14 boat license holder or crew member is shucking scallops.

15 3. Violation. A person who violates this section commits a  
16 civil violation. The following penalties apply:

17 A. For the first offense, a forfeiture of \$250 is imposed  
18 and all scallops on board may be seized; and

19 B. For each subsequent offense, a forfeiture of \$250 is  
20 imposed, all scallops on board may be seized and the scallop  
21 boat license may be suspended for one year.'

22 Further amend the bill by inserting at the end before the  
23 summary the following:

### 30 FISCAL NOTE

31 The additional enforcement costs can be absorbed by the  
32 Department of Marine Resources utilizing existing budgeted  
33 resources.

34 The Department of Marine Resources may incur some minor  
35 additional costs to adopt certain rules pertaining to the  
36 harvesting of scallops in Cobscook Bay. These costs can be  
37 absorbed within the department's existing budgeted resources.

38 The additional workload and administrative costs associated  
39 with the minimal number of new cases filed in the court system  
40 can be absorbed within the budgeted resources of the Judicial  
41 Department. The collection of additional fines may increase  
42 General Fund revenue by minor amounts.'

COMMITTEE AMENDMENT "A" to S.P. 383, L.D. 1280

**SUMMARY**

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This amendment replaces the bill. It sets a daily limit and culling requirements for scallops in Cobscook Bay. It sets a penalty for violation. It also adds a fiscal note to the bill.