

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 1067

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H.P. 750

House of Representatives, March 16, 2017

### An Act To Limit the Size of Scallop Drags

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Reference to the Committee on Marine Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative ALLEY of Beals.  
Cosponsored by Senator VITELLI of Sagadahoc and  
Representatives: ACKLEY of Monmouth, BLUME of York, DEVIN of Newcastle,  
HANINGTON of Lincoln, PERRY of Calais.

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

2 **Sec. 1. 12 MRSA §6727-A** is enacted to read:

3 **§6727-A. Drag width**

4 **1. Maximum drag width.** Except as otherwise provided in this article, a person  
5 may not possess on any vessel fishing for scallops in the territorial waters, or use when  
6 fishing for or taking scallops in the territorial waters, a drag or any combination of drags  
7 that measures:

8 A. In excess of 5 1/2 feet across from one extreme outside edge of the mouth of the  
9 drag or combination of drags to the opposite extreme outside edge when used inside  
10 the island zone as defined by the department by rule; or

11 B. In excess of 10 feet across from one extreme outside edge of the mouth of the  
12 drag or combination of drags to the opposite extreme outside edge when used outside  
13 the island zone as defined by the department by rule.

14 The department shall adopt rules to implement this subsection. Rules adopted pursuant to  
15 this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter  
16 2-A.

17 **2. Violation.** A person who violates this section commits a civil violation for which  
18 the following penalties apply:

19 A. For the first offense, a mandatory fine of \$500 is imposed and all scallops on  
20 board may be seized;

21 B. For the 2nd offense, a mandatory fine of \$750 is imposed and all scallops on  
22 board may be seized; and

23 C. For the 3rd and subsequent offenses, a mandatory fine of \$750 is imposed and all  
24 scallops on board may be seized. The penalty imposed pursuant to this paragraph is  
25 in addition to the penalty imposed under section 6728-B.

26 **SUMMARY**

27 This bill limits the size of scallop drags allowed in the territorial waters of the State to  
28 a maximum measurement of 5 1/2 feet across when used within the island zone as  
29 defined by the Department of Marine Resources and 10 feet across when used outside the  
30 island zone. This bill also establishes penalties for exceeding the drag width limit.