

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1379

H.P. 958

House of Representatives, April 11, 2017

An Act Regarding Enforcement of Marine Resources Laws and Suspensions of Marine Resources Licenses

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 "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative KUMIEGA of Deer Isle.

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

2 **Sec. 1. 12 MRSA §6025-B** is enacted to read:

3 **§6025-B. Use of covert electronic surveillance**

4 If the Chief of the Bureau of Marine Patrol delivers to the commissioner a written
5 statement signed by the chief under oath that the chief has probable cause to suspect that
6 a civil violation of any law or rule relating to the deployment or retrieval of lobster gear
7 has been committed, the commissioner shall immediately examine the affidavit and
8 determine if the use of covert electronic surveillance is warranted. If the commissioner
9 determines the use of covert electronic surveillance is warranted, the commissioner may
10 authorize the use of covert electronic surveillance.

11 **Sec. 2. 12 MRSA §6306, sub-§1, ¶A**, as amended by PL 2009, c. 229, §14, is
12 further amended to read:

13 A. Watercraft or vehicles and the equipment located on watercraft or vehicles used
14 primarily in a trade or business requiring a license or aquaculture lease under this Part
15 may be searched or inspected at any time. This inspection includes covert electronic
16 surveillance to monitor and enforce any law or rule relating to the deployment or
17 retrieval of lobster gear for which the violation of the law or rule is classified as a
18 civil violation.

19 **Sec. 3. 12 MRSA §6351, sub-§1, ¶B-2** is enacted to read:

20 B-2. A conviction for a violation of Title 17-A, chapter 33;

21 **Sec. 4. 12 MRSA §6371, sub-§§4 to 7** are enacted to read:

22 **4. Suspensions for violations of Title 17-A, chapter 31.** Violation of Title 17-A,
23 chapter 31 is grounds for suspension under section 6374 of any licenses or certificates
24 issued under this Part.

25 **5. Suspensions for violations of Title 17-A, chapter 15.** Violation of Title 17-A,
26 chapter 15 is grounds for suspension under section 6374 of any licenses or certificates
27 issued under this Part.

28 **6. Suspensions for violations of Title 17-A, chapter 33.** Violation of Title 17-A,
29 chapter 33 is grounds for suspension under section 6374 of any licenses or certificates
30 issued under this Part.

31 **7. Suspensions for criminal offense against a marine patrol officer.** A criminal
32 offense against a marine patrol officer while that officer is engaged in the performance of
33 official duty is grounds for suspension under section 6374 of any licenses or certificates
34 issued under this Part.

35 **Sec. 5. 12 MRSA §6374, first ¶**, as enacted by PL 2011, c. 311, §4, is amended
36 to read:

