

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**Sec. 1. 12 MRSA §6434, sub-§3**, as amended by PL 2003, c. 520, §5, is further amended to read:

**3. Using another's lobster gear; prohibition.** Traps, warps, buoys or cars may not be used for fishing by any person other than the licensed owner unless ~~with~~that person has written permission from the commissioner.

**Sec. 2. 12 MRSA §6434, sub-§3-A** is enacted to read:

**3-A. Penalty.** A person who violates this section commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

**Sec. 3. 12 MRSA §6434, sub-§4**, as amended by PL 2003, c. 520, §5, is further amended to read:

**4. Restitution.** If the holder of a lobster and crab fishing license violates this section by cutting a lobster trap line, the court shall:

- A. Order that person to pay to the owner of the trap line that was cut an amount equal to twice the replacement value of all traps lost as a result of that cutting; and
- B. Direct that person to provide proof of payment of that restitution to the commissioner as required by section 6402, subsection 1.

~~A penalty~~Restitution imposed under this subsection is in addition to any penalty imposed under section ~~6204~~subsection 3-A.

## SUMMARY

This amendment is the minority report and makes technical changes to the bill.

**FISCAL NOTE REQUIRED**  
(See attached)