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An Act To Allow the Commissioner of Marine Resources To Investigate Price Fixing of Lobster

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, lobster price fixing may be occurring and it is crucial that the Department of Marine Resources have the authority as soon as possible to investigate the matter; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §6052, sub-§4, as amended by PL 2003, c. 60, §3, is further amended to read:

4. Research. Serve as the primary state agency engaging in research for the conservation of marine resources; and engage in all aspects of marine research, including:

A. Providing information on stock levels and environments of commercially and recreationally valuable marine and anadromous fish organisms;

B. Solving particular problems that relate to the State's commercial, marine recreational and anadromous fishing industry;

C. Providing technical and scientific information and support for all department activities; and

D. Establishing a marine research revolving fund for soliciting and receiving funds for conducting marine research. A marine research fund established under this paragraph may be used only for research purposes set forth under paragraphs A and B and may not be used for research specific to any one company; and

Sec. 2. 12 MRSA §6052, sub-§5, as enacted by PL 2003, c. 60, §4, is amended to read:

5. Safety and security services. Provide safety and security services in the coastal waters of the State. The department shall coordinate with other local, state and federal agencies when the department provides such safety and security services; and

Sec. 3. 12 MRSA §6052, sub-§6 is enacted to read:

6. Investigate lobster price fixing. Investigate lobster price fixing. At the request of the commissioner, the Attorney General shall provide investigatory assistance in determining whether lobster price fixing has occurred or is occurring.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill authorizes the Commissioner of Marine Resources to investigate lobster price fixing and requires the Attorney General, at the request of the commissioner, to provide investigatory assistance in determining whether lobster price fixing has occurred or is occurring.