



PAUL R. LEPAGE  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF MARINE RESOURCES  
21 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0021

PATRICK C. KELIHER  
COMMISSIONER

June 26, 2017

Dear Lobster License Holder:

On June 14, Governor LePage signed into law LD 575 *An Act To Improve the Enforcement of Maine's Lobster Laws*. Because this law is now in effect, I wanted to ensure that every license holder is aware of the changes it made.

This legislation improves the ability of Maine Marine Patrol to make cases against those individuals who are violating the laws that exist to manage Maine's lobster resource for the benefit of all license holders. It also imposes minimum and maximum license suspension lengths for certain violations - those determined to be the most damaging to the lobster resource and to other fishermen. **Please see the table on the back of this letter to understand the required license suspensions that are now in place. It is important to understand that if a fisherman is found guilty of one of these violations, there is no flexibility on the suspension length – the law REQUIRES these minimums to apply.**

**Please also be aware that if you have been found guilty of one of these violations within the last seven years, that prior violation will apply in determining the suspension or revocation if you are found guilty of that offense again.**

For those violations classified as criminal, Marine Patrol may obtain a warrant from a judge to authorize the use of a tracker (to record the speed and location of a vessel) if the judge determines that there is probable cause to suspect that a violation is being committed. As a result of LD 575, trap molesting has been made a criminal violation, as has fishing untagged gear in excess of 25 traps (fewer than 25 untagged traps remains a civil violation). Fishing over the trap limit, fishing sunken trawls, and artificially removing the eggs from a female lobster (scrubbing) are already criminal offenses.

Following a license suspension for one of the violations listed in the attached table, the Commissioner is also authorized to require the fisherman reentering the fishery to utilize a Vessel Monitoring System (VMS) for a length of time equal to that of their license suspension. In addition, a fisherman may be limited to only 300 traps when they reenter the fishery, with the ability to build up by 100 traps per year until they reach their zone limit.

Finally, please be aware that arson, or other means of destroying another lobsterman's vessel is now a violation for which the penalty is permanent revocation of the lobster license.

This letter is intended to highlight the new consequences for certain violations. For a comprehensive description of all the changes that were made by LD 575, please see the DMR website at [www.maine.gov/dmr](http://www.maine.gov/dmr). If you have any questions, please feel free to contact my office at 624-6553, or your Marine Patrol Division Office at 633-9595 (Division I) or 667-3373 (Division II).

OFFICES AT 32 BLOSSOM LANE, AUGUSTA, MAINE  
<http://www.Maine.gov/dmr>

PHONE: (207) 624-6550

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In closing, I want to commend the lobster industry for initiating these changes, and supporting them through the legislative process. I have heard many concerns about the cheating that has been occurring in this fishery, and am aware of the frustration it has caused the majority of our fishermen, who are honest and law abiding. I sincerely hope that these new penalties will serve as an effective deterrent to these behaviors.

Sincerely,



Patrick C. Keliher  
Commissioner

#### **MANDATORY LICENSE SUSPENSION LENGTHS EFFECTIVE JUNE 14, 2017**

<b>Violation</b>	<b>First offense – Suspension length</b>	<b>Second offense – Suspension length</b>	<b>Third offense– Suspension length</b>
<b>Trap molesting</b>	Minimum 2 years Maximum 6 years	Minimum 2 years Maximum 10 years	Permanent revocation
<b>Over the trap limit</b>	Minimum 3 years Maximum 10 years	Permanent revocation	(NA – license already permanently revoked)
<b>Intentionally fishing sunken trawls</b>	Minimum 3 years Maximum 10 years	Permanent revocation	(NA – license already permanently revoked)
<b>Artificially removing the eggs from a female lobster</b>	Minimum 4 years; potential for permanent revocation	Minimum 4 years; potential for permanent revocation	Minimum 4 years; potential for permanent revocation
<b>Arson/destruction lobster boat</b>	Permanent revocation	(NA – license already permanently revoked)	(NA – license already permanently revoked)