

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 255

S.P. 93

In Senate, February 3, 2015

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**An Act To Preserve the Integrity of Maine's Shellfish Industry by  
Increasing the Penalty for Interfering with Permitted Harvest**

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

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator GERZOFKY of Cumberland.  
Cosponsored by Representative KUMIEGA of Deer Isle and  
Senators: DIAMOND of Cumberland, HASKELL of Cumberland, HILL of York, JOHNSON  
of Lincoln, MIRAMANT of Knox, Representatives: DeCHANT of Bath, GIDEON of  
Freeport, McCREIGHT of Harpswell.

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

2 **Sec. 1. 12 MRSA §6674**, as amended by PL 2009, c. 229, §18, is further amended  
3 to read:

4 **§6674. Interference with municipal shellfish aquaculture permit**

5 A person may not knowingly interfere with the ability of a person who holds a  
6 municipal shellfish aquaculture permit ~~from carrying~~ to carry out the privileges granted to  
7 the permittee under that permit. Except for the permittee, a person may not ~~take~~ disturb  
8 or molest any shellfish in ~~an~~ the intertidal zone in the area that is included in a municipal  
9 shellfish aquaculture permit. A person who violates this section commits a civil violation  
10 for which a fine of not less than ~~\$100~~ \$500 nor more than ~~\$500~~ \$2,000 may be adjudged.

11 **SUMMARY**

12 This bill increases the fine for a person who commits a civil violation of interfering  
13 with the ability of a person who holds a municipal shellfish aquaculture permit to carry  
14 out the privileges granted under the permit. The fine is changed from not less than \$100  
15 nor more than \$500 to not less than \$500 nor more than \$2,000. The bill specifies that  
16 the area in which the interference is prohibited is the intertidal zone in the area that is  
17 included in the permit. The bill also clarifies that the prohibited action includes  
18 disturbing or molesting shellfish, not only the taking of shellfish.