

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
116TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 773, L.D. 1046, Bill, "An Act Revising the Shellfish-harvesting Laws"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 12 MRSA §6601, sub-§7 is enacted to read:

7. Penalty. Notwithstanding the provisions of Title 17-A, section 4-B, a person who violates this section commits a crime punishable by:

A. For the first offense, a fine of not less than \$300 and not more than \$1,500; and

B. For subsequent offenses, a fine of not less than \$500 and not more than \$1,500.

The court may not suspend a fine imposed under this subsection.

Sec. 2. 12 MRSA §6621, sub-§4 is enacted to read:

4. Penalty. Notwithstanding the provisions of Title 17-A, section 4-B, a person who violates this section commits a crime punishable by:

A. For the first offense, a fine of not less than \$300 and not more than \$1,500; and

B. For subsequent offenses, a fine of not less than \$500 and not more than \$1,500.

The court may not suspend a fine imposed under this subsection.

2       **Sec. 3. 12 MRSA §6671, sub-§9**, as repealed and replaced by PL  
1991, c. 29, is repealed.

4       **Sec. 4. 12 MRSA §6671, sub-§10** is enacted to read:

6       **10. Penalty.** Notwithstanding Title 17-A, section 4-B, a  
8       person who violates a provision of a municipal ordinance adopted  
      under this section commits a crime punishable by the following  
      finest:

10       A. For harvesting shellfish from a closed area or digging  
12       shellfish without a license:

14               (1) For the first offense, a fine of not less than  
16               \$300 and not more than \$1,500; and

18               (2) For subsequent offenses, a fine of not less than  
      \$500 and not more than \$1,500.

20       The court may not suspend a fine imposed under this  
22       paragraph; or

24       B. For violating any other provision of a municipal  
      ordinance adopted under this section, a fine of not less  
26       than \$100 and not more than \$1,000.

28       A fine for a violation of article 5 must be as provided by  
      section 6681.

30       **Sec. 5. 12 MRSA §6681, sub-§6**, as amended by PL 1985, c. 737,  
32       Pt. A, §30, is repealed.

34       **Sec. 6. 12 MRSA §6681, sub-§6-A** is enacted to read:

36       **6-A. Penalty.** Notwithstanding the provisions of Title  
      17-A, section 4-B, a person who violates this article commits a  
38       crime punishable by the following fines:

40       A. For possession of a bulk pile of shellfish of which 20%  
      or more of the shellfish are smaller than the minimum size  
42       established in subsection 3:

44               (1) For the first offense, a fine of not less than  
      \$300 and not more than \$1,000; and

46               (2) For subsequent offenses, a fine of not less than  
48               \$500 and not more than \$1,000.

50       The court may not suspend a fine imposed under this  
      paragraph; or

2  
4  
6

## 8

10  
12  
14  
16

## 18

20  
22  
24  
26  
28  
30

32  
34  
36  
38

40

Reported by the Committee on Marine Resources  
Reproduced and distributed under the direction of the Clerk of the  
House  
5/18/93 (Filing No. H-353)