

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

## An Act To Amend the Shellfish Laws

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

**Sec. 1. 12 MRSA §6601, sub-§4**, as amended by PL 2005, c. 434, §4, is further amended to read:

**4. Personal use exception.** A person may take or possess no more than ~~1/2 bushel~~ one peck of shellstock or 3 bushels of "hen" or "surf" clams for personal use in one day without a license, unless municipal ordinances further limit the taking of shellfish. This subsection does not apply to individuals whose ability to obtain a shellfish license has been suspended by the commissioner.

**Sec. 2. 12 MRSA §6602** is enacted to read:

### **§ 6602. Surf clam boat license**

**1. License required.** A person may not use a boat for dragging for the harvesting of surf clams unless that boat carries a current surf clam boat license issued by the commissioner.

**2. Licensed activity.** A surf clam boat license issued under this section may be used for harvesting surf clams. The holder of a surf clam boat license may also possess or transport surf clams within state limits or sell surf clams the holder has taken to a wholesale seafood license holder certified under section 6856. The license also authorizes the captain and crew members aboard the licensed boat when engaged in harvesting surf clams to undertake these activities.

**3. Eligibility.** A surf clam boat license may be issued only to an individual who is a resident of this State.

**4. Exception.** In any one day, a person may take or possess not more than 3 bushels of surf clams for personal use without a surf clam boat license.

**5. Fee.** The fee for a surf clam boat license is \$230.

**6. Violation.** A person who violates this section commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

## SUMMARY

This bill makes the following changes to Maine's shellfish laws:

1. It reduces the amount of shellstock an individual may harvest per day for personal use from 1/2 bushel to one peck;

2. It prevents persons who have had their shellfish harvesting license suspended from being able to harvest for personal use; and
3. It creates a new surf clam boat license, which allows vessels engaged in harvesting surf clams to obtain one license that covers all crew members.