

**§12161. Taking of certain nonmarine invertebrates from the wild for commercial purposes**

**1. Prohibition; penalties.** Except as provided in this section, a person may not take and possess certain nonmarine invertebrates, specifically freshwater mussels, butterflies, moths, dragonflies or beetles, from the wild for export, sale or commercial purposes.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. [PL 2011, c. 253, §24 (NEW).]

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2011, c. 253, §24 (NEW).]

[PL 2011, c. 253, §24 (NEW).]

**2. Commercial nonmarine invertebrate permit.** Persons harvesting freshwater mussels, butterflies, moths, dragonflies or beetles for export, sale or commercial purposes are required to obtain a permit from the commissioner. The fee for a permit issued under this subsection is \$27. The permit expires one year from the date of issuance.

[PL 2017, c. 205, §24 (AMD).]

**3. Rules.** The commissioner may by rule:

A. Require reporting of commercial harvest activities, including at a minimum dates, locations and numbers collected by species; [PL 2011, c. 253, §24 (NEW).]

B. Establish daily and season possession limits; and [PL 2017, c. 205, §25 (AMD).]

C. [PL 2017, c. 205, §26 (RP).]

D. Require humane harvest, confinement and disposal methods. [PL 2011, c. 253, §24 (NEW).]

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2017, c. 205, §§25, 26 (AMD).]

**SECTION HISTORY**

PL 2011, c. 253, §24 (NEW). PL 2017, c. 205, §§24-26 (AMD).

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