

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FIFTEEN

—  
S.P. 93 - L.D. 255

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

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

**Sec. 1. 12 MRSA §6674**, as amended by PL 2009, c. 229, §18, is repealed and the following enacted in its place:

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

**1. Prohibition.** A person may not knowingly interfere with the ability of a person who holds a municipal shellfish aquaculture permit to carry out the privileges granted to the permittee under that permit. Except for the permittee or the permittee's designee, a person may not take, disturb or molest any shellfish in the intertidal zone in the area that is included in a municipal shellfish aquaculture permit.

**2. Penalty.** A person who violates this section commits a civil violation for which a fine of not less than \$500 nor more than \$1,000 may be adjudged.

**3. Restitution.** In addition to the penalty under subsection 2, if a person violates this section by interfering with the ability of a person who holds a municipal shellfish aquaculture permit to carry out the privileges granted to that permittee under that permit, the court shall:

A. Order that person to pay to the holder of the municipal shellfish aquaculture permit an amount equal to twice the replacement value of any damaged equipment on the permit site; and

B. Direct that person to provide proof of payment of restitution under paragraph A to the commissioner.