

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FIFTEEN

—  
H.P. 450 - L.D. 669

**An Act To Create a Spat Collection License**

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

Sec. 1. 12 MRSA §6074-A is enacted to read:

**§6074-A. Spat collection license**

**1. Definition.** As used in this section, "spat" means sea scallops, *Placopectin magellanicus*, or blue mussels, *Mytilus edulis*, in the post-larval stage that have gone through metamorphosis and settled on a substrate. The commissioner may, by rule, add additional species to this definition.

**2. License required.** A person may not engage in the activities authorized under this section without a current spat collection license issued by the commissioner. A person who holds a lease issued under section 6072 or 6072-A or a license issued under section 6072-C is exempt from the requirement to obtain a spat collection license to collect spat on the lease site or in connection with the license issued under section 6072-C if the species is commercially cultured and listed on that person's lease or license.

**3. Licensed activity.** The holder of a spat collection license may take, possess or sell the spat of marine organisms identified on the spat collection license.

**4. Type and amount of gear.** The commissioner shall specify on a spat collection license the method of taking and the type and amount of gear authorized by the license.

**5. Eligibility.** A spat collection license may be issued only to an individual who is a resident of the State.

**6. Rules.** The commissioner shall adopt rules that define the maximum size of spat for each species that a holder of a spat collection license is authorized to take. The commissioner may adopt rules to limit the amount of spat collected and the type and amount of gear that may be used for spat collection for each species. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**7. License holder exempted.** The holder of a spat collection license is exempt from the requirement to hold a license under this Part for harvesting the species identified on the spat collection license up to the maximum size of spat that is specified for that species in rule. The holder of a spat collection license is exempt from the time restrictions on taking and possessing and minimum size requirements for that species up to the maximum size of spat that is specified for that species in rule.

**8. Fees.** The fee for a spat collection license is \$75. All fees collected under this subsection accrue to the Aquaculture Management Fund established in section 6072-D.

**9. Reporting.** The commissioner may require the holder of a spat collection license to report annually on the quantity of spat collected and whether the spat was used for aquaculture or stock enhancement activities.

**10. Violation.** A person who violates this section commits a civil violation for which a fine of not less than \$100 and not more than \$500 may be adjudged.

**Sec. 2. Effective date.** This Act takes effect January 1, 2016.