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## **An Act To Establish Recreational Flats Where Commercial Shellfish Harvesting Is Prohibited**

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

**Sec. 1. 12 MRSA §6177** is enacted to read:

### **§ 6177. Recreational flats**

**1. Prohibition.** A person may not harvest for commercial use shellfish from areas that are established only for noncommercial shellfish harvesting, referred to in this section as "recreational flats."

**2. Rules.** The commissioner shall adopt rules to implement this section. The rules must establish standards for the harvesting of shellfish in recreational flats and prohibit commercial use of shellfish harvested from recreational flats. Rules adopted under this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

**3. Violation.** A person may not harvest shellfish from a recreational flat or possess or sell shellfish harvested from a recreational flat in violation of this section. 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.

### **SUMMARY**

This bill prohibits the commercial harvesting and commercial use of shellfish from areas that are established only for noncommercial shellfish harvesting, directs the Commissioner of Marine Resources to adopt rules to prohibit the commercial harvesting and commercial use of shellfish from recreational flats where only noncommercial shellfish harvesting is allowed and enacts a penalty for violations.