



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 539

H.P. 383

House of Representatives, February 9, 2017

**An Act To Allow Municipalities To Establish Shellfish Conservation
Areas**

Reference to the Committee on Marine Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SPEAR of South Thomaston.
Cosponsored by Senator MIRAMANT of Knox and
Representatives: McCREIGHT of Harpswell, RYKERSON of Kittery.

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

2 **Sec. 1. 12 MRSA §6671, sub-§3, ¶A**, as amended by PL 2007, c. 494, §1, is
3 further amended to read:

- 4 A. Within any area of the municipality, a shellfish conservation ordinance may:
- 5 (1) Regulate or prohibit the possession of shellfish;
 - 6 (2) Fix the amount of shellfish that may be taken;
 - 7 (3) Provide for protection from shellfish predators;
 - 8 (4) Authorize the municipal officials to open and close flats under specified
9 conditions; ~~and~~
 - 10 (5) Specify areas of the intertidal zone in which the dragging of mussels may be
11 limited to the degree necessary to support a municipal shellfish conservation
12 program; and
 - 13 (6) In accordance with paragraph D, designate conservation areas where
14 harvesting any marine organisms is prohibited.

15 **Sec. 2. 12 MRSA §6671, sub-§3, ¶D** is enacted to read:

16 D. A municipality or a regional shellfish management committee established
17 pursuant to subsection 7 may designate conservation areas where harvesting any
18 marine organism is prohibited that do not exceed, in aggregate, 10% of the total
19 harvestable area in the intertidal zone. A designated conservation area where
20 harvesting any marine organism is prohibited must be clearly marked with signs that
21 identify the municipality or regional shellfish management committee that designated
22 the area and indicate the purpose of the area.

23 **SUMMARY**

24 This bill allows municipalities or regional shellfish management committees to
25 designate conservation areas where harvesting any marine organism is prohibited. In
26 aggregate the conservation areas may not exceed 10% of the total harvestable area in the
27 intertidal zone. A designated conservation area must be clearly marked with signs that
28 identify the municipality or regional shellfish management committee that designated the
29 area and indicate the purpose of the area.