

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND NINETEEN

H.P. 715 - L.D. 960

**An Act To Allow Municipalities with Municipal Shellfish Conservation Ordinances To Establish Minimum and Maximum Size Limits for Shellfish That Are at Least as Strict as Those Limits Established by the State**

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

**Sec. 1. 12 MRSA §6671, sub-§3, ¶A**, as amended by PL 2017, c. 350, §1, is further amended to read:

A. Within any area of the intertidal zone within the municipality, a shellfish conservation ordinance may:

- (1) Regulate or prohibit the possession of shellfish;
- (2) Fix the amount of shellfish that may be taken;
- (3) Provide for protection from shellfish predators;
- (4) Authorize the municipal officials to open and close flats under specified conditions; ~~and~~
- (5) Specify areas of the intertidal zone in which the dragging of mussels may be limited to the degree necessary to support a municipal shellfish conservation program;
- (6) Establish a minimum size limit for possession of shellfish regulated in the ordinance, as long as those size limits are as strict or stricter than any minimum size limit set in this chapter or by rule, except that an ordinance must establish minimum size limits for possession of soft-shell clams that are at least as strict as those limits established in section 6681; and
- (7) Establish a maximum size limit for possession of shellfish regulated in the ordinance, as long as those size limits are as strict or stricter than any maximum size limit set in this chapter or by rule.

**Sec. 2. 12 MRSA §6671, sub-§3, ¶B**, as enacted by PL 2001, c. 188, §2, is repealed.

**Sec. 3. 12 MRSA §6671, sub-§8, ¶D** is enacted to read:

D. Enforcement by the municipality of any provision adopted by a municipality pursuant to this section may occur only in the municipality in which the shellfish is harvested.