**§6073. Exclusivity; prohibition or interference**

**1. Exclusivity.**  Each lease for aquaculture shall be exclusive for the species and to the extent provided by the commissioner in the lease.

[PL 1977, c. 661, §5 (NEW).]

**2. Prohibition on interference.**  It shall be unlawful to interfere with the rights provided in a lease.

[PL 1977, c. 661, §5 (NEW).]

**2-A. Cultchless American oysters; possession.**  Prior to the point of retail sale, a person may not possess a cultchless American oyster grown in the State unless that person:

A. Is a grower licensed under section 6863, an employee of a licensed grower or an agent of a licensed grower; or [PL 1991, c. 876, §1 (NEW).]

B. Is in the possession of a bill of sale or a bill of lading that includes the license number of the grower. [PL 1991, c. 876, §1 (NEW).]

[PL 1991, c. 876, §1 (NEW).]

**2-B. Marking.**  In the coastal waters of the State, a person may not mark or designate an area as a sea farm, aquaculture lease or other similar designation unless that area is currently leased for aquaculture or is under consideration by the department for a lease through the aquaculture lease application process.

[PL 2007, c. 212, §3 (NEW).]

**3. Penalty.**  Any person who violates subsection 2-A or who knowingly and willfully violates subsection 2 is guilty of a Class D crime, except that, notwithstanding Title 17‑A, sections 4‑A, 1704 and 1705, the court shall impose a fine of not less than $1,000 and restitution may be ordered made to the owner of the lease in an amount set by the court pursuant to Title 17‑A, chapter 69.

[PL 2019, c. 113, Pt. C, §10 (AMD).]

SECTION HISTORY

PL 1977, c. 661, §5 (NEW). PL 1991, c. 284 (AMD). PL 1991, c. 876, §1 (AMD). PL 1995, c. 157, §1 (AMD). PL 2007, c. 212, §3 (AMD). PL 2019, c. 113, Pt. C, §10 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.