

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Require That Marine Resources Dealers Purchase Only from Licensed Harvesters

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

Sec. 1. 12 MRSA §6803-A, as enacted by PL 2009, c. 283, §1, is amended by adding at the end a new paragraph to read:

A holder of a license issued under this section may buy only from a harvester who possesses a seaweed permit under section 6803. The harvester shall make the seaweed permit available for inspection upon the license holder's request.

Sec. 2. 12 MRSA §6851, sub-§2, as amended by PL 1999, c. 491, §6 and affected by §9, is further amended to read:

2. License activities. The holder of a wholesale seafood license may, in the wholesale or retail trade:

- A. Within or beyond the state limits, buy, sell, process, ship or transport any marine species or their parts, except lobsters, sea urchins and shrimp;
- B. Within or beyond the state limits, buy, sell, shuck, pack, ship or, within the state limits, transport fresh or frozen shellfish, except lobsters, to the extent these activities are expressly authorized by a shellfish certificate issued under section 6856; or
- D. Buy, sell, process, ship or, within the state limits, transport crayfish.

A holder of a wholesale seafood license when buying directly from a harvester may buy only from a harvester who possesses the license or permit for that species as required under this Part. The harvester shall make the applicable marine resources license or permit available for inspection upon the wholesale seafood license holder's request.

Sec. 3. 12 MRSA §6852, sub-§2, as amended by PL 2005, c. 434, §11, is further amended to read:

2. License activity. The holder of a retail seafood license may, in the retail trade within the state limits, buy, sell, transport, ship or serve:

- A. Shellstock and shucked shellfish if they are bought from a wholesale seafood license holder certified under section 6856;
- C. Lobster parts or meat, if they are permitted under section 6857, or have been lawfully imported;
- D. Crayfish; or

E. Lobsters.

A holder of a retail seafood license when buying directly from a harvester may buy only from a harvester who possesses the license or permit for that species as required under this Part. The harvester shall make the applicable marine resources license or permit available for inspection upon the retail seafood license holder's request.

Sec. 4. 12 MRSA §6853, as amended by PL 2009, c. 213, Pt. G, §39, is further amended by adding at the end a new paragraph to read:

A holder of a license required under this section when buying directly from a harvester may buy only from a harvester who possesses a marine worm digger's license under section 6751. The harvester shall make the marine worm digger's license available for inspection upon the license holder's request.

Sec. 5. 12 MRSA §6864, as amended by PL 2009, c. 213, Pt. G, §§44 and 45, is further amended by adding at the end a new paragraph to read:

A holder of an elver dealer license when buying directly from a harvester may buy only from a harvester who possesses an elver fishing license under section 6505-A. The harvester shall make the elver fishing license available for inspection upon the elver dealer license holder's request.

SUMMARY

This bill creates a requirement that seafood and marine worm dealers, when buying directly from a harvester, purchase marine organisms only from a properly licensed person. It also creates a requirement for harvesters, upon a dealer's request, to show their licenses to the dealer.