

§6851. Wholesale seafood license; wholesale seafood license with lobster permit; wholesale seafood license with urchin permit; wholesale seafood license with shrimp permit

1. License required. A person may not engage in the activities authorized under this section without a current:

A. Wholesale seafood license; [PL 2003, c. 452, Pt. F, §26 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. Supplemental wholesale seafood license; or [PL 2003, c. 452, Pt. F, §26 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

C. Other license issued under this Part authorizing the activities. [PL 2003, c. 452, Pt. F, §26 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

[PL 2003, c. 452, Pt. F, §26 (AMD); PL 2003, c. 452, Pt. X, §2 (AFF).]

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 and sea urchins; scallops purchased directly from harvesters; and shrimp purchased directly from harvesters; [PL 2015, c. 201, §5 (AMD).]

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; [PL 2013, c. 492, §12 (AMD).]

C. [PL 1991, c. 523, §3 (RP).]

D. Buy, sell, process, ship or, within the state limits, transport crayfish; and [PL 2013, c. 492, §12 (AMD).]

E. Within or beyond the state limits, buy, possess, ship, transport or sell green crabs without a commercial green crab only license issued under section 6808. [PL 2013, c. 492, §12 (NEW).]

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.

[PL 2015, c. 201, §5 (AMD).]

2-A. Wholesale seafood license with lobster permit. At the request of the applicant, the commissioner shall issue a wholesale seafood license with a lobster permit. A person holding a wholesale seafood license with a lobster permit may engage in all the activities in subsection 2 and may buy, sell, process or ship lobster or properly licensed or lawfully imported lobster meat or parts. A person holding a wholesale seafood license with a lobster permit may transport lobster or properly licensed or lawfully imported lobster meat or parts anywhere within the state limits. A license under this subsection does not authorize a person to possess or transport lobster that person has taken unless that person is in possession of a license issued under section 6421, subsection 3-A, paragraph A, B, C or E. A license under this subsection does not authorize a person to remove lobster meat from the shell unless a license under section 6851-B or 6857 is held.

[PL 2019, c. 642, §8 (AMD).]

2-B. Wholesale seafood license with a sea urchin buyer's permit. At the request of the applicant, the commissioner shall issue a wholesale seafood license with a sea urchin buyer's permit. A person holding a wholesale seafood license with a sea urchin buyer's permit may engage in all the activities in subsection 2 and may buy, sell, ship or transport whole sea urchins or sea urchin parts. A license under this subsection does not authorize a person to engage in the processing of sea urchins.

[PL 2011, c. 266, Pt. A, §20 (AMD).]

2-C. Wholesale seafood license with a sea urchin processor's permit. At the request of the applicant, the commissioner shall issue a wholesale seafood license with a sea urchin processor's permit. A person holding a wholesale seafood license with a sea urchin processor's permit may engage in all the activities in subsection 2 and may buy, sell, process, ship or transport whole sea urchins or sea urchin parts processed under that license.

[PL 2011, c. 266, Pt. A, §20 (AMD).]

2-D. Wholesale seafood license with shrimp permit. At the request of the applicant, the commissioner shall issue a wholesale seafood license with a shrimp permit. A person holding a wholesale seafood license with a shrimp permit may engage in all of the activities in subsection 2, may buy shrimp from harvesters and may sell, process, ship or transport shrimp.

[PL 2011, c. 598, §42 (AMD).]

2-E. Wholesale seafood license with a scallop permit. At the request of the applicant, the commissioner shall issue a wholesale seafood license with a scallop permit. A person holding a wholesale seafood license with a scallop permit may engage in all of the activities in subsection 2, may buy scallops from harvesters and may sell, process, ship or transport scallops.

[PL 2015, c. 201, §6 (NEW).]

3. Exceptions. This section does not apply to smoked herring or river herring.

[PL 2011, c. 598, §43 (AMD).]

4. License limited. A license under this section authorizes activities at only one establishment or with only one vehicle, but not on a vessel rigged to fish, provided that this license also authorizes the sale and transportation of scallops from any vessel. The limitation in this subsection does not apply to holders of licenses issued under section 6421 when they are transporting lobsters on the vessel they have declared on their lobster license application.

[PL 2005, c. 239, §9 (AMD).]

5. Supplemental license. A supplemental license must be obtained for each additional establishment or vehicle.

[PL 1991, c. 523, §3 (AMD).]

6. Fees. The fees are as follows:

A. For a wholesale seafood license or a wholesale seafood license with a lobster permit, sea urchin buyer's permit, shrimp permit or sea urchin processor's permit, \$192.75; and [PL 2017, c. 284, Pt. EEEEE, §26 (AMD).]

B. For each supplemental license, \$38.25. [PL 2017, c. 284, Pt. EEEEE, §26 (AMD).]
[PL 2017, c. 284, Pt. EEEEE, §26 (AMD).]

7. Violation. A person who violates this section commits a civil violation for which a forfeiture of not less than \$100 nor more than \$500 may be adjudged.

[PL 2001, c. 421, Pt. B, §54 (NEW); PL 2001, c. 421, Pt. C, §1 (AFF).]

SECTION HISTORY

PL 1977, c. 661, §5 (NEW). PL 1979, c. 127, §87 (AMD). PL 1979, c. 590, §2 (AMD). PL 1981, c. 480, §§8,15,16 (AMD). PL 1983, c. 230 (AMD). PL 1983, c. 824, §K3 (AMD). PL 1985, c. 243 (AMD). PL 1985, c. 379, §6 (AMD). PL 1989, c. 348, §§8,9 (AMD). PL 1991, c. 523, §3 (AMD). PL 1991, c. 528, §RRR (AFF). PL 1991, c. 528, §T14 (AMD). PL 1991, c. 591, §T14 (AMD). PL 1991, c. 784, §8 (AMD). PL 1993, c. 740, §§4,5 (AMD). PL 1997, c. 19, §§8,9 (AMD). PL 1999, c. 491, §6 (AMD). PL 1999, c. 491, §9 (AFF). PL 2001, c. 421, §§B53,54 (AMD). PL 2001, c. 421, §C1 (AFF). PL 2003, c. 20, §WW22 (AMD). PL 2003, c. 170, §4 (AMD). PL 2003, c. 452, §F26 (AMD). PL 2003, c. 452, §X2 (AFF). PL 2005, c. 239, §§8,9

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(AMD). PL 2007, c. 615, §21 (AMD). PL 2009, c. 213, Pt. G, §36 (AMD). PL 2009, c. 478, §2 (AMD). PL 2009, c. 523, §8 (AMD). PL 2009, c. 561, §31 (AMD). PL 2011, c. 266, Pt. A, §20 (AMD). PL 2011, c. 598, §§41-43 (AMD). PL 2013, c. 492, §12 (AMD). PL 2015, c. 201, §§5, 6 (AMD). PL 2017, c. 284, Pt. EEEEE, §26 (AMD). PL 2019, c. 642, §8 (AMD).

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