





124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document	No.	447
H.P. 335	House of Representatives, February 10, 2	2009

An Act To Allow the Direct Sale of Shellfish to Retailers

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

Millicent M. Mac Jailand

MILLICENT M. MacFARLAND Clerk

Presented by Representative LANGLEY of Ellsworth. Cosponsored by Representatives: CLARK of Easton, EATON of Sullivan, PRESCOTT of Topsham, TILTON of Harrington, WEAVER of York, Senator: ROSEN of Hancock. Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §6601, sub-§2, as amended by PL 2005, c. 434, §4, is further amended to read:

2. Licensed activities. The holder of a commercial shellfish license may fish for, take, possess or transport shellfish within the state limits or sell shellstock the holder has taken to a wholesale seafood license holder certified under section 6856 or a retail seafood license holder certified under section 6852. The holder may also sell shellstock the holder has taken from that license holder's home in the retail trade. This license does not authorize the holder to fish for or take shellfish in violation of a municipal ordinance adopted pursuant to section 6671.

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

 amended to read:
- 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;
- 17 C. Lobster parts or meat, if they are permitted under section 6857, or have been 18 lawfully imported;
- 19 D. Crayfish; or
- 20 E. Lobsters.; or
- 21 F. Shellstock bought from a commercial shellfish license holder under section 6601.
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SUMMARY

Current law does not allow the holder of a retail seafood license to buy shellstock directly from the commercial shellfish license holder that harvests the shellfish but instead must buy shellstock from a wholesale seafood license holder that purchases shellstock from the harvester.

This bill allows a retail seafood license holder to purchase shellstock directly from the harvester.