

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2010

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Legislative Document

No. 1584

H.P. 1122

House of Representatives, December 22, 2009

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

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Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

Received by the Clerk of the House on December 18, 2009. Referred to the Committee on Marine Resources pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative EATON of Sullivan.

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

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

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

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

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

11 A. Within or beyond the state limits, buy, sell, process, ship or transport any marine  
12 species or their parts, except lobsters, sea urchins and shrimp;

13 B. Within or beyond the state limits, buy, sell, shuck, pack, ship or, within the state  
14 limits, transport fresh or frozen shellfish, except lobsters, to the extent these activities  
15 are expressly authorized by a shellfish certificate issued under section 6856; or

16 D. Buy, sell, process, ship or, within the state limits, transport crayfish.

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

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

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

25 A. Shellstock and shucked shellfish if they are bought from a wholesale seafood  
26 license holder certified under section 6856;

27 C. Lobster parts or meat, if they are permitted under section 6857, or have been  
28 lawfully imported;

29 D. Crayfish; or

30 E. Lobsters.

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

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

