

§6804. Commercial northern shrimp license

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

A. Resident commercial northern shrimp license; [PL 2003, c. 452, Pt. F, §25 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. Resident with crew commercial northern shrimp license; or [PL 2003, c. 452, Pt. F, §25 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

C. Nonresident with crew commercial northern shrimp license. [PL 2003, c. 452, Pt. F, §25 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

[PL 2003, c. 452, Pt. F, §25 (AMD); PL 2003, c. 452, Pt. X, §2 (AFF).]

2. Licensed activities. Except as limited pursuant to subsection 2-A, the holder of a commercial northern shrimp license may fish for or take shrimp or possess, ship, transport or sell northern shrimp that the license holder has taken. A license issued under subsection 7, paragraph B or C also authorizes unlicensed crew members aboard the vessel declared by the license holder to engage in these activities. [PL 2017, c. 346, §1 (AMD).]

2-A. Licenses limited. The commissioner may establish by rule a system to limit the number of commercial northern shrimp licenses issued under this section when the total allowable catch for northern shrimp established for Maine by the Atlantic States Marine Fisheries Commission is less than 2,000 metric tons. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Prior to initiating rulemaking, the commissioner shall consult with members of the northern shrimp industry, including individuals who are eligible to obtain a license that allows fishing for or taking northern shrimp and holders of a license or permit issued under chapter 625 that allows wholesale or retail activity involving northern shrimp.

The commissioner shall provide a report regarding management of the northern shrimp resource and the northern shrimp fishing industry to the joint standing committee of the Legislature having jurisdiction over marine resources matters by January 15th of the year following a year in which the commissioner limited the number of licenses issued under this section. The joint standing committee may report out legislation to the session of the Legislature in which the report was received regarding management of the northern shrimp resource or the northern shrimp fishing industry.

[PL 2017, c. 346, §2 (NEW).]

3. Boat declaration. The license holder shall declare the name of the vessel to be used for fishing under the commercial northern shrimp license at the time of application for the license and may not change that declaration during the license year unless the original vessel is sold and replaced, has been damaged and will be under repair for not less than one month or has been destroyed or lost.

[PL 2003, c. 248, §10 (AMD).]

4. Reporting.

[PL 2003, c. 520, §11 (RP).]

5. Exemption. Notwithstanding subsection 1, a license is not required to fish for, take, possess or transport up to one standard fish tote of northern shrimp only for personal use. This exemption does not apply to an individual whose ability to obtain a commercial northern shrimp license has been suspended by the commissioner.

[PL 2013, c. 301, §19 (AMD).]

6. Eligibility. A commercial northern shrimp license may be issued only to an individual.

[PL 2003, c. 248, §10 (AMD).]

7. Fees. Fees for the commercial northern shrimp license are as follows:

A. Thirty-eight dollars for a resident license that authorizes the license holder to engage in the licensed activities under subsection 2; [PL 2009, c. 213, Pt. G, §31 (AMD).]

B. One hundred three dollars for a resident license that authorizes the license holder and crew members to engage in the licensed activities under subsection 2; and [PL 2009, c. 213, Pt. G, §31 (AMD).]

C. Three hundred eighty-five dollars for a nonresident license that authorizes the license holder and crew members to engage in the licensed activities under subsection 2. [PL 2009, c. 213, Pt. G, §31 (AMD).]

[PL 2009, c. 213, Pt. G, §31 (AMD).]

8. Disposition of fees. Fees for commercial northern shrimp licenses must be deposited in the Shrimp Management Fund established in section 6805 as follows:

A. Thirty-three dollars for a resident license that authorizes the license holder to engage in the licensed activities under subsection 2; [PL 2009, c. 213, Pt. G, §32 (NEW).]

B. Eighty-nine dollars for a resident license that authorizes the license holder and crew members to engage in the licensed activities under subsection 2; and [PL 2009, c. 213, Pt. G, §32 (NEW).]

C. Three hundred thirty-four dollars for a nonresident license that authorizes the license holder and crew members to engage in the licensed activities under subsection 2. [PL 2009, c. 213, Pt. G, §32 (NEW).]

[PL 2009, c. 213, Pt. G, §32 (AMD).]

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

[PL 2003, c. 248, §10 (AMD).]

REVISOR'S NOTE: §6804. Seaweed Management Fund (As enacted by PL 1999, c. 501, §4 is REALLOCATED TO TITLE 12, SECTION 6806)

SECTION HISTORY

RR 1999, c. 1, §18 (RAL). PL 1999, c. 491, §5 (NEW). PL 1999, c. 491, §9 (AFF). PL 1999, c. 501, §4 (NEW). PL 2001, c. 421, §§B51,52 (AMD). PL 2001, c. 421, §C1 (AFF). PL 2003, c. 170, §2 (AMD). PL 2003, c. 248, §10 (AMD). PL 2003, c. 452, §F25 (AMD). PL 2003, c. 452, §X2 (AFF). PL 2003, c. 520, §11 (AMD). PL 2009, c. 213, Pt. G, §§31, 32 (AMD). PL 2013, c. 301, §19 (AMD). PL 2017, c. 346, §§1, 2 (AMD).

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