

§6601. Commercial shellfish license

1. License required. A person may not engage in the activities authorized under this section without a current commercial shellfish license or other license issued under this Part authorizing the activities.

[PL 2005, c. 434, §4 (AMD).]

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 an enhanced retail certificate holder under section 6852, subsection 2-A. 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.

[PL 2011, c. 598, §26 (AMD).]

2-A. Licensed activities; aquaculture.

[PL 2017, c. 296, §6 (RP); PL 2017, c. 296, §10 (AFF).]

3. Eligibility. A commercial shellfish license may be issued only to an individual who is a resident.

[PL 2005, c. 434, §4 (AMD).]

4. Personal use exception. A person may take or possess no more than one peck of shellstock or 3 bushels of "hen" or "surf" clams for personal use in one day without a license, unless municipal ordinances further limit the taking of shellfish. This subsection does not apply to individuals whose ability to obtain a shellfish license has been suspended by the commissioner.

[PL 2007, c. 54, §1 (AMD).]

5. License fee. Except as provided in subsection 5-A, the fee for a commercial shellfish license is \$58.25.

[PL 2017, c. 284, Pt. EEEEE, §14 (AMD).]

5-A. Exception. The fee for a commercial shellfish license for applicants 70 years of age or older and applicants under 18 years of age is \$67, which must be deposited in the Shellfish Fund established under section 6651.

[PL 2017, c. 284, Pt. EEEEE, §15 (AMD).]

6. Definition. For the purposes of this subchapter, "shellfish" means shellstock clams, quahogs other than mahogany quahogs, and oyster shellstock.

[PL 2005, c. 434, §4 (AMD).]

7. Penalty.

[PL 2001, c. 421, Pt. B, §38 (RP); PL 2001, c. 421, Pt. C, §1 (AFF).]

8. 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, §39 (NEW); PL 2001, c. 421, Pt. C, §1 (AFF).]

SECTION HISTORY

PL 1977, c. 661, §5 (NEW). PL 1979, c. 163 (AMD). PL 1981, c. 297, §3 (AMD). PL 1981, c. 480, §§4,15,16 (AMD). PL 1983, c. 824, Pt. K, subpt. 3 (AMD). PL 1985, c. 243 (AMD). PL 1987, c. 328, §1 (AMD). PL 1987, c. 826, §1 (AMD). PL 1989, c. 348, §5 (AMD). PL 1991, c. 528, §RRR (AFF). PL 1991, c. 528, §T4 (AMD). PL 1991, c. 591, §T4 (AMD). PL 1993, c. 281, §1 (AMD). PL 2001, c. 421, §§B35-39 (AMD). PL 2001, c. 421, §C1 (AFF). PL 2003, c. 20, §WW11 (AMD). PL 2005, c. 233, §§1,2 (AMD). PL 2005, c. 434, §4 (AMD). PL 2007, c. 54, §1 (AMD). PL 2007, c. 466, Pt. A, §§34, 35 (AMD). PL 2007, c. 522, §3 (AMD). PL 2009, c. 213, Pt. G, §§13, 14 (AMD). PL 2009, c. 217, §1 (AMD). PL 2011, c. 598, §26 (AMD). PL

2013, c. 509, §9 (AMD). PL 2015, c. 355, §1 (AMD). PL 2015, c. 355, §2 (AFF). PL 2017, c. 284, Pt. EEEEE, §§14, 15 (AMD). PL 2017, c. 296, §6 (AMD). PL 2017, c. 296, §10 (AFF).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.