

§6702. Scallop dragging license

1. License required. A person may not use a boat for dragging for scallops in the State's territorial waters unless that person holds a scallop dragging license issued by the commissioner and that boat is identified on the license.

[PL 2011, c. 598, §31 (AMD).]

2. Licensed activity. A person licensed under this section may use the boat identified on the license to drag for scallops in the State's territorial waters and possess, ship, sell or transport shucked scallops taken under the license. The license also authorizes the captain and crew members aboard the boat identified on the license when engaged in dragging for scallops to undertake these activities, except that the captain and crew members may not fish for or take scallops if the license holder is not aboard that boat except as provided in subsection 2-A.

[PL 2011, c. 598, §31 (AMD).]

2-A. Exemptions.

[PL 2017, c. 222, §1 (AMD); MRSA T. 12 §6702, sub-§2-A (RP).]

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

[PL 2007, c. 607, Pt. A, §2 (AMD).]

4. Personal use exception. In any one day, a person licensed pursuant to section 6703 may take or possess not more than 1 1/2 bushels of shell scallops or one gallon of shucked scallops for personal use without a scallop dragging license under this section.

[PL 2013, c. 492, §7 (AMD).]

5. Fee. The fee for a scallop dragging license is \$143.

[PL 2009, c. 213, Pt. G, §18 (AMD).]

6. Violation. A person who violates this section commits a civil violation for which the following penalties apply:

A. For the first offense, a mandatory fine of \$500 is imposed and all scallops on board may be seized; [PL 2009, c. 415, Pt. A, §7 (RPR).]

B. For the 2nd offense, a mandatory fine of \$750 is imposed and all scallops on board may be seized; and [PL 2009, c. 415, Pt. A, §7 (RPR).]

C. For the 3rd and subsequent offenses, a mandatory fine of \$750 is imposed and all scallops on board may be seized. This penalty is imposed in addition to the penalty imposed under section 6728-B. [PL 2009, c. 415, Pt. A, §7 (RPR).]

[PL 2009, c. 415, Pt. A, §7 (RPR).]

7. Apprentice license. The department may adopt rules to establish an apprentice program for entry into the scallop fishery that includes an apprentice license for a resident who is 18 years of age or older to engage in dragging for scallops under the supervision of a person licensed under this section. The fee for an apprentice scallop dragging license is \$250. The commissioner shall deposit license fees collected in this subsection into the Scallop Research Fund under section 6729-A. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2019, c. 107, §1 (NEW).]

SECTION HISTORY

PL 1983, c. 663, §2 (NEW). PL 1985, c. 662, §§2,3 (AMD). PL 1991, c. 528, §RRR (AFF). PL 1991, c. 528, §T6 (AMD). PL 1991, c. 591, §T6 (AMD). PL 1997, c. 572, §2 (AMD). PL 2001, c. 421, §B41 (AMD). PL 2001, c. 421, §C1 (AFF). PL 2003, c. 20, §WW14 (AMD). PL 2003, c. 248, §8 (AMD). PL 2007, c. 557, §2 (AMD). PL 2007, c. 607, Pt. A, §2 (AMD). PL 2007, c. 607, Pt. B, §2 (AMD). PL 2007, c. 695, Pt. I, §2 (AMD). PL 2009, c. 213, Pt. G, §18 (AMD).

PL 2009, c. 415, Pt. A, §7 (AMD). PL 2011, c. 598, §31 (AMD). PL 2013, c. 301, §15 (AMD).
PL 2013, c. 492, §7 (AMD). PL 2017, c. 222, §1 (AMD). PL 2019, c. 107, §1 (AMD).

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