

CHAPTER 129
SB 122-FN – FINAL VERSION

2013 SESSION

13-0408
10/03

SENATE BILL ***122-FN***

AN ACT establishing a commercial shrimp license.

SPONSORS: Sen. Watters, Dist 4; Sen. Stiles, Dist 24; Rep. Reed, Merr 2; Rep. Ketel, Straf 17

COMMITTEE: Energy and Natural Resources

ANALYSIS

This bill establishes requirements for the issuance of a commercial shrimp license by the fish and game department to persons wishing to take, possess, land, or transport northern shrimp on the waters of this state.

This bill is a request of the fish and game department.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT establishing a commercial shrimp license.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 129:1 New Section; Commercial Shrimp License. Amend RSA 211 by inserting after section 49-d
2 the following new section:

3 211:49-e Commercial Shrimp License.

4 I. Any resident of this state, or an eligible nonresident, who takes, possesses, lands, or
5 transports northern shrimp (*Pandalus borealis*) on the waters of this state by any method for the
6 purpose of sale, regardless of where the catch was taken, shall first procure a valid license from the
7 executive director to do so.

8 II. The fee for the northern shrimp license shall be \$100 for residents.

9 III. The fee for the northern shrimp license shall be \$500 for nonresidents. A nonresident
10 shall not be eligible to obtain a commercial shrimp license unless the state in which such person is a
11 resident provides a reciprocal licensing privilege for residents of this state.

12 IV. The license shall be for the operator of the boat, vessel, flotation device, or gear, and
13 helpers.

14 V. Any person so licensed shall furnish to the executive director such information concerning
15 the harvest or fishing activities for northern shrimp as the executive director may require by rule.

16 VI. Licensees shall be responsible for conducting their fishing activities in compliance with
17 the rules adopted by the executive director under RSA 211:62.

18 VII. Any person convicted of violating any provision of this section shall be guilty of a
19 violation if a natural person and a misdemeanor if any other person. In addition, the defendant's
20 catch shall be confiscated and sold according to rules adopted by the executive director pursuant to
21 RSA 541-A and the proceeds of such sale shall become the property of the New Hampshire fish and
22 game department.

23 VIII. The executive director may adopt rules to establish the number of commercial shrimp
24 licenses available under this section. The executive director may adopt rules to establish eligibility
25 criteria for an individual to be eligible to purchase a commercial shrimp license.

26 129:2 Nonresident Commercial Salt Water License; Exclusion Added. Amend RSA 211:49-a, I
27 to read as follows:

28 I. Any person who does not qualify as a resident under RSA 207:1, who takes, possesses,
29 lands, or transports by any method, from or on the waters of this state, regardless of where the catch
30 was taken, any marine species by any method for the purpose of selling the same, shall first procure

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1 a valid license from the executive director to do so. This license shall not include the taking,
2 ***possession, landing, or transport of northern shrimp (Pandalus borealis) which requires a***
3 ***license under RSA 211:49-e, or the taking*** of lobsters and crabs, which requires a license under
4 RSA 211:18. A nonresident shall not take sea urchins, clam worms, river herring, or scallops unless
5 the state in which such person is a resident provides a reciprocal licensing privilege for residents of
6 this state.

7 129:3 Nonresident Wholesaler License; Northern Shrimp Excluded. Amend RSA 211:49-aa, II
8 and III to read as follows:

9 II. No person, firm, or corporation, whose ship, vessel, or similar craft is within the
10 territorial waters of this state shall engage in the processing or wholesale trade of any marine
11 species, excluding ***northern shrimp***, lobster, and crabs, without first procuring a license under this
12 section.

13 III. The license under this section shall not entitle a person, firm, or corporation to transport
14 on state waters lobsters and crabs ***or northern shrimp*** taken outside the jurisdiction of the state
15 via ship, vessel, or similar craft for the purposes of landing the lobsters and crabs in the state as
16 permitted under RSA 211:49-d ***and the northern shrimp in this state under RSA 211:49-e***.

17 129:4 Resident Commercial Salt Water License; Exclusion Added. Amend RSA 211:49-b, I to
18 read as follows:

19 I. Any resident of this state who takes, possesses, lands, or transports on the waters of this
20 state any marine species by any method for the purpose of sale, regardless of where the catch was
21 taken, shall first procure a valid license from the executive director to do so. This license shall not
22 include the ***taking, possession, landing, or transport of northern shrimp (Pandalus***
23 ***borealis) which requires a license under RSA 211:49-e, or the*** taking of lobsters and crabs,
24 which requires a license under RSA 211:18.

25 129:5 Resident Wholesaler License; Northern Shrimp Excluded. Amend RSA 211:49-c, II to read
26 as follows:

27 II. Any person, firm, or corporation, whose ship, vessel, or similar craft is within the
28 territorial waters of this state and engaged in the processing or wholesale trade of any marine
29 species, excluding ***northern shrimp***, lobster, and crabs, shall first procure a license as required
30 under this section.

31 129:6 Effective Date. This act shall take effect January 1, 2014.

32
33 Approved: June 25, 2013

34 Effective Date: January 1, 2014