

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33

Date: (Filing No. H-)

MARINE RESOURCES

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 876, L.D. 1353, “An Act Regarding Required Landings in the Menhaden Fishery”

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 12 MRSA §6502-C, sub-§1-C, as enacted by PL 2023, c. 169, §2 and affected by §5, is amended to read:

1-C. Menhaden license limited entry system. Notwithstanding subsection 1-B, the commissioner may establish by rule a limited entry system under which a person who did not hold a commercial menhaden license in the previous calendar year may become eligible to obtain that license when the total number of commercial menhaden licenses is less than 350 licenses and as long as the fishery exit ratio is one to one. The rules for a limited entry system must include provisions for the method and administration of the system. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 12 MRSA §6502-C, sub-§1-E is enacted to read:

1-E. Commercial menhaden fishing license eligibility in 2026. Notwithstanding subsection 1-B, the commissioner may issue a 2026 resident commercial menhaden fishing license or a 2026 nonresident commercial menhaden fishing license to an individual if that individual:

A. Possessed a license to fish commercially for menhaden in at least one of the following 3 years, 2019, 2020 or 2021;

B. According to department records, reported legal landings of menhaden of 20,000 pounds or more under a commercial menhaden fishing license in at least one of the following 3 years, 2019, 2020 or 2021; and

C. Did not qualify for or receive a license for any period of time under subsection 1-A.

COMMITTEE AMENDMENT

1 Documentation, acceptable to the department, showing that the landing requirement in
2 paragraph B has been met must be based on information reported to the department prior
3 to January 1, 2023.

4 **Sec. 3. Department of Marine Resources; report.** Prior to adopting rules under
5 the Maine Revised Statutes, Title 12, section 6502-C, subsection 1-C, the Department of
6 Marine Resources shall identify groups that should be prioritized for the first available
7 licenses and develop an entry plan to provide the first opportunity for licenses to individuals
8 in the identified groups. The department shall report its findings to the joint standing
9 committee of the Legislature having jurisdiction over marine resources matters by January
10 1, 2027.'

11 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
12 number to read consecutively.

13 SUMMARY

14 This amendment replaces the bill. It authorizes the Commissioner of Marine Resources
15 to issue a 2026 resident commercial menhaden fishing license or a 2026 nonresident
16 commercial menhaden fishing license to an individual if that individual reported legal
17 landings of menhaden of 20,000 pounds or more under a commercial menhaden fishing
18 license in at least one of the following years, 2019, 2020 or 2021. The individual must also
19 have possessed a license to fish commercially for menhaden in at least one of the following
20 years, 2019, 2020 or 2021, and may not have qualified for or received a license for any
21 period in 2023. The amendment establishes that no more than 350 commercial menhaden
22 licenses are to be issued and the fishery has an exit ratio of one to one. Finally, the
23 amendment directs the Department of Marine Resources to identify groups that should be
24 prioritized for the first available licenses and develop an entry plan to provide the first
25 opportunity for licenses to individuals in the identified groups and report findings to the
26 joint standing committee of the Legislature having jurisdiction over marine resources
27 matters by January 1, 2027.

28 FISCAL NOTE REQUIRED

29 (See attached)