APPROVED

JUNE 15, 2023

BY GOVERNOR

CHAPTER

180

PUBLIC LAW

STATE OF MAINE

———

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

———

S.P. 391 - L.D. 920

An Act Regarding Temporary Transfers of Elver Fishing Quotas for Medical Reasons

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §6575-L, sub-§1, as corrected by RR 2015, c. 1, §5, is amended to read:

1. Temporary medical transfer ~~requested prior to March 1st~~. Notwithstanding section 6505-A, subsection 3-A, the commissioner may authorize a temporary medical transfer that permits the holder of an elver fishing license issued under section 6505-A to transfer the ~~entire~~ remaining annual quota allocated to that person at the time the request is made to another person holding an elver fishing license issued under section 6505-A if the following criteria are met:

A. The transferor reported elver landings in the prior fishing year; and

B. The transferor is unable to fish the quota allocated to the transferor because the transferor has experienced a substantial illness or medical condition. The transferor shall provide the commissioner with documentation from a physician describing the substantial illness or medical condition~~; and~~.

~~C. The transferor requests a temporary medical transfer in writing before March 1st of the fishing year for which it is being requested, except that the commissioner may adopt rules that provide a method for authorizing a temporary medical transfer requested after March 1st to address emergency medical conditions.~~

The commissioner may adopt rules that provide that a transferor may choose to retain the income and tax burden from the sale of the transferor's transferred quota or that the transferor may choose to allow the license holder receiving the transferor's quota to retain the income and assume the tax burden of the sale of the transferred quota.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.