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MARINE RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT " " to H.P. 940, L.D. 1444, "An Act to Amend the Laws Governing Eligibility Restrictions for Commercial Menhaden Fishing Licenses"

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

'Sec. 1. 12 MRSA §6502-C, sub-§1-A, ¶A, as enacted by PL 2021, c. 670, §1, is amended to read:

A. Possessed a license to fish commercially for menhaden in at least 2 of the following 3 4 years, 2019, 2020 or, 2021 or 2022, except that an individual who is eligible for a commercial menhaden fishing license in 2023 and who held a 2nd commercial menhaden fishing license in 2022 is not eligible for a 2nd license in 2023; and

Sec. 2. 12 MRSA §6502-C, sub-§1-C is enacted 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. 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. 3. 12 MRSA §6502-C, sub-§1-D is enacted to read:

1-D. Fees. The department may assess a fee for participation in the limited entry system established in subsection 1-C.

Sec. 4. Report. By January 15, 2024, the Commissioner of Marine Resources shall submit a report to the Joint Standing Committee on Marine Resources with details on the implementation of the Maine Revised Statutes, Title 12, section 6502-C, subsections 1-A, 1-B and 1-C. The committee has the authority to report out a bill to the Second Regular Session of the 131st Legislature based on the report.

Sec. 5. Retroactivity. This Act applies retroactively to January 1, 2023.'

COMMITTEE AMENDMENT

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

3 **SUMMARY**

4 This amendment provides that an individual who is otherwise eligible for a commercial
5 menhaden fishing license in 2023 is not eligible for a 2nd commercial menhaden fishing
6 license in 2023 if the individual previously held a 2nd license in 2022. The amendment also
7 allows the Commissioner of Marine Resources to establish by rule a limited entry system
8 under which an individual who did not hold a commercial menhaden fishing license in the
9 previous calendar year may become eligible to obtain a license.

10 **FISCAL NOTE REQUIRED**

11 **(See attached)**