

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FOUR

—
S.P. 853 - L.D. 2025

An Act to Provide for Medical and Vessel Breakdown License Exceptions for Commercial Menhaden License Holders

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

Sec. 1. 12 MRSA §6502-C, sub-§2, as enacted by PL 2019, c. 640, §4, is amended to read:

2. Licensed activity; commercial license. The holder of a commercial menhaden fishing license may fish for, take, possess, ship, transport or sell menhaden that the holder has taken using the vessel named on the license. A commercial menhaden fishing license also authorizes the crew members aboard the vessel named on the license to fish for, take, possess, ship or transport menhaden when the license holder is aboard the vessel.

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

2-A. License exception; illness, disability. Notwithstanding subsection 2, the commissioner may temporarily authorize an individual other than the holder of a commercial menhaden fishing license to fish for, take, possess, ship, transport or sell menhaden when the license holder is not present if the license holder documents to the commissioner that an illness or disability temporarily prevents the license holder from fishing for or taking menhaden and requests in writing to the commissioner that the commissioner authorize another holder of a commercial menhaden fishing license to fish for or take menhaden from the license holder's vessel or the vessel named on the temporarily authorized license holder's license. The commissioner's authorization may require the temporarily authorized license holder to fish for, take, possess and land menhaden separately from the temporarily authorized license holder's own menhaden to ensure that harvest limits are not exceeded. A temporary authorization granted by the commissioner to another license holder due to the illness or disability of the license holder may not exceed one menhaden fishing season.

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

2-B. Exception to using the vessel named on the license holder's license for commercial license holders. Notwithstanding subsection 2, the commissioner may temporarily authorize a holder of a commercial menhaden fishing license to use a vessel

other than the vessel named on that license holder's license to fish for, take, possess, ship or transport menhaden if the license holder documents to the commissioner that the vessel named on that license holder's license has become temporarily inoperable because of an accident or a mechanical failure and requests in writing to the commissioner that the commissioner authorize the use of another vessel to fish for or take menhaden. The commissioner's authorization may require the license holder to fish for, take, possess and land menhaden separately from any menhaden taken under another license listing the same vessel to ensure that harvest limits are not exceeded. An authorization granted by the commissioner to a license holder due to an accident or a mechanical failure may not exceed 2 weeks. The commissioner may authorize one 2-week extension per license holder during the menhaden fishing season.

Sec. 4. 12 MRSA §6502-C, sub-§3, as enacted by PL 2019, c. 640, §4, is amended to read:

3. Licensed activity; noncommercial license. The holder of a noncommercial menhaden fishing license may fish for, take or possess menhaden that the holder has taken using the vessel named on the license. A noncommercial menhaden fishing license authorizes the crew members aboard the vessel named on the license to fish for, take or possess menhaden when the license holder is aboard the vessel.