MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 489

H.P. 318

House of Representatives, February 11, 2025

An Act to Provide for a Vessel Breakdown License Exception for Commercial Halibut Fishing License Holders

(EMERGENCY)

Received by the Clerk of the House on February 6, 2025. Referred to the Committee on Marine Resources pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative STROUT of Harrington.
Cosponsored by Senator MOORE of Washington and
Representatives: DRINKWATER of Milford, LYMAN of Livermore Falls, QUINT of
Hodgdon, TUELL of East Machias, Senator: RENY of Lincoln.

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation must take effect before May 18, 2025, the beginning of the the 2025 commercial halibut fishing season; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

- **Sec. 1. 12 MRSA §6506, sub-§2,** as enacted by PL 2021, c. 627, §5, is amended to read:
- **2.** Licensed activity; commercial license. The holder of a commercial halibut fishing license issued under subsection 1 may fish for, take, possess, ship, transport or sell halibut that the holder has taken <u>using the vessel named on the license</u>. Crew members aboard a license holder's vessel may fish for, take, possess, ship or transport halibut only if the license provides for crew members.

Sec. 2. 12 MRSA §6506, sub-§2-A is enacted to read:

2-A. Exception to using vessel named on license holder's license for commercial license holders. Notwithstanding subsection 2, the commissioner may temporarily authorize a holder of a commercial halibut 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 halibut 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 halibut. The commissioner's authorization may require the license holder to fish for, take, possess and land halibut separately from any halibut 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 commercial halibut fishing season.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

34 SUMMARY

This bill provides that the holder of a commercial halibut fishing license may fish for, take, possess, ship, transport or sell halibut that the holder has taken using only the vessel named on the license. The bill also provides an exception to this provision. It allows a commercial halibut fishing license holder to request authorization from the Commissioner of Marine Resources to use a vessel other than the vessel identified on that license holder's license when that license holder's vessel is temporarily inoperable.