

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2026

S.P. 854

In Senate, December 13, 2023

An Act to Authorize Medical Waivers for Menhaden Fishing Licenses

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 11, 2023. Referred to the Committee on Marine Resources pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MOORE of Washington. (BY REQUEST)

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

2 **Sec. 1. 12 MRSA §6310, sub-§1**, as amended by PL 2011, c. 266, Pt. A, §3, is
3 further amended to read:

4 **1. Appeal of license denial.** A person who is denied a Class I, Class II or Class III
5 lobster and crab fishing license because that person does not meet the eligibility
6 requirements of section 6421, subsection 5, paragraph A; a person who is denied a
7 handfishing sea urchin license, a sea urchin dragging license or a sea urchin hand-raking
8 and trapping license because that person does not meet the eligibility requirements of
9 section 6749-O, subsection 2-A; ~~or~~ a person who is denied a hand fishing scallop license
10 or a scallop dragging license because that person does not meet the eligibility requirements
11 of section 6706, subsection 2; or a person who is denied a resident commercial menhaden
12 fishing license or a nonresident commercial menhaden fishing license because that person
13 does not meet the eligibility requirements of section 6502-C, subsection 1-A or 1-B may
14 appeal to the commissioner under this section for a review of that license denial.

15 **Sec. 2. 12 MRSA §6310, sub-§2, ¶D** is enacted to read:

16 D. A resident commercial menhaden fishing license or a nonresident commercial
17 menhaden fishing license may be issued to a person on appeal only if a substantial
18 illness or medical condition on the part of the person or a family member prevented
19 that person from meeting the eligibility requirements for that license and the person
20 documents that the person fished for menhaden while in possession of the same license
21 within one year prior to the onset of the illness or medical condition. The person shall
22 provide the commissioner with documentation from a physician describing the illness
23 or other medical condition. A person must request an appeal under this paragraph
24 within one year of the onset of the illness or medical condition.

25 SUMMARY

26 This bill allows a holder of a resident commercial menhaden fishing license or a
27 nonresident commercial menhaden fishing license to appeal a license denial if a substantial
28 illness or medical condition on the part of the person or a family member prevented that
29 person from meeting the eligibility requirements for that license.