

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 220, L.D. 277, Bill, "An Act to Amend the Eligibility Requirements for a Lobster and Crab Fishing License"

Amend the amendment by inserting after the 2nd indented paragraph and before section 1 the following:

'Sec. 1. 12 MRSA §6310, sub-§2, ¶A, as enacted by PL 1999, c. 643, §1, is amended to read:

A. A Class I, Class II or Class III lobster and crab fishing license may be issued to a person on appeal only if:

(1) A substantial illness or medical condition on the part of the person or a family member prevented that person from meeting the eligibility requirements for a license in 1997, 1998 or 1999, and the person documents that the person harvested lobsters while in possession of a Class I, Class II or Class III lobster and crab fishing license within one year prior to the onset of the illness or medical condition. The person shall provide the commissioner with documentation from a physician describing the illness or other medical condition. A person may not request an appeal under this subparagraph after December 31, 2001;

(2) A substantial illness or medical condition on the part of the person or a family member prevented that person from meeting the eligibility requirements for a license in licensing year 2000 or in subsequent years, and the person documents that the person harvested

2 lobsters while in possession of a Class I, Class II or
4 Class III lobster and crab fishing license within one
6 year prior to the onset of the illness or medical
8 condition. The person shall provide the commissioner
10 with documentation from a physician describing the
12 illness or other medical condition. A person must
14 request an appeal under this subparagraph within one
16 year of the onset of the illness or medical condition;
18 or

20 (3) Service in the United States Armed Forces or the
22 United States Coast Guard precluded that person from
24 participating in the lobster fishery and meeting the
26 eligibility requirements for a license, and the person
28 documents that the person harvested lobsters while in
30 possession of a Class I, Class II or Class III lobster
32 and crab fishing license within one year prior to
34 entering the service. ~~The person may not have served
for more than 6 consecutive years since the most recent
year in which the person held a license, and the person
must have been honorably discharged from service. A
person must request an appeal under this subparagraph
within one year of discharge from service. A person is
eligible under this subparagraph only if the person has
been honorably discharged from service and:~~

36 (a) The person has served for more than 6
38 consecutive years since the most recent year in
40 which the person held a license; and

42 (b) The person has maintained a Class I, Class II
44 or Class III lobster and crab fishing license for
46 at least 4 years or 50% of the time served,
48 whichever is shorter.

36 A person must request an appeal under this subparagraph
38 within one year of discharge from service.'

40 Further amend the amendment by relettering or renumbering
42 any nonconsecutive Part letter or section number to read
44 consecutively.


46 SUMMARY

48 Current law allows a person who was prevented from renewing
that person's Class I, Class II or Class III lobster and crab
fishing license due to service in the military to obtain a

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license upon appeal to the Commissioner of Marine Resources. A
2 person who serves more than 6 years in the military is not
eligible to appeal.

4
6 This amendment changes the eligibility for a successful
appeal to require that the person has served at least 6 years in
the military and maintained the lobster and crab fishing license
8 for at least 4 years or 50% of the time spent in the military,
whichever is shorter.

10
12
14 SPONSORED BY: 
(Representative BIERMAN)

16 TOWN: Sorrento
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