

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in section 1 in paragraph A by striking out all of subparagraphs (2) and (3) (page 1, lines 15 to 32 in L.D.) and inserting the following:

(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 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 must request an appeal under this subparagraph within one year of the onset of the illness or medical condition; ~~or~~

(3) Service in the United States Armed Forces or the United States Coast Guard precluded that person from participating in the lobster fishery and meeting the eligibility requirements for a license, 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 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.; ~~or~~

(4) That person was diagnosed with muscular dystrophy between 1983 and 1988 and that 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 diagnosis but has not held a Class I, Class II or Class III lobster and crab fishing license since the year following that person's diagnosis with the disease. The person must provide the commissioner with documentation from a physician of the diagnosis of muscular dystrophy and a statement from a physician that the person is currently physically capable of safely conducting the activities involved with the commercial harvest of lobsters. A person that receives a Class I, Class II or Class III lobster and crab fishing license pursuant to this subparagraph is limited to 300 trap tags and those trap tags expire when the person is no longer eligible to hold the license and may not be counted in an exit ratio system for a lobster management zone. This subparagraph is repealed October 1, 2010.

Amend the bill in section 2 in paragraph A in the last line (page 1, line 37 in L.D.) by striking out the following: "(2)" and inserting the following: '(4)'

Amend the bill by inserting at the end before the summary the following:

'Sec. 3. Repeal. This Act is repealed October 1, 2010.'

SUMMARY

This amendment would, upon documentation to the Commissioner of Marine Resources, allow a person that was diagnosed with muscular dystrophy between 1983 and 1988 that had 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 diagnosis but did not hold a Class I, Class II or Class III lobster and crab fishing license since the year following the diagnosis to be eligible for a medical waiver to obtain a lobster and crab fishing license and fish a maximum of 300 trap tags. Those trap tags expire when the person is no longer eligible to hold the license and could not be counted in the exit ratio system for a lobster management zone. It also provides that the provisions of this amendment are repealed October 1, 2010.

FISCAL NOTE REQUIRED

(See attached)