



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 492

H.P. 331

House of Representatives, February 24, 2015

**An Act To Expand Eligibility for Lobster and Crab Fishing Licenses
for Veterans**

(EMERGENCY)

Reference to the Committee on Marine Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative KUMIEGA of Deer Isle.
Cosponsored by Senator MIRAMANT of Knox and
Representatives: ALLEY of Beals, DEVIN of Newcastle, PIERCE of Dresden.

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

3 **Whereas,** veterans of military service have served our State and our country; and

4 **Whereas,** veterans who held a lobster and crab fishing license prior to or during the
5 person's military service may not be eligible for a new license because of military service
6 obligations; and

7 **Whereas,** those veterans should remain eligible for a lobster and crab fishing license
8 without meeting the requirements of the apprentice program; and

9 **Whereas,** this legislation needs to take effect before the fishing season starts; and

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

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

15 **Sec. 1. 12 MRSA §6421, sub-§5, ¶C,** as amended by PL 2011, c. 486, §1, is
16 further amended to read:

17 C. Meets the requirements of the apprentice program under section 6422; ~~or~~

18 **Sec. 2. 12 MRSA §6421, sub-§5, ¶D,** as corrected by RR 2001, c. 2, Pt. A, §15,
19 is amended to read:

20 D. Did not possess a Class I, Class II or Class III lobster and crab fishing license in
21 the previous calendar year because the commissioner had suspended the person's
22 license privileges for a length of time that included the previous calendar year; ~~or~~

23 **Sec. 3. 12 MRSA §6421, sub-§5, ¶I** is enacted to read:

24 I. Is a veteran, as defined in 38 United States Code, Section 101(2), and:

25 (1) Began active military, naval or air service prior to November 1, 2015;

26 (2) Held a lobster and crab fishing license that was issued prior to or during the
27 person's active military, naval or air service, which was not suspended or
28 revoked; and

29 (3) Reported lobster or crab landings to the department during the time the person
30 held the lobster and crab fishing license.

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

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SUMMARY

This bill provides that a veteran who was honorably discharged, began military service prior to November 1, 2015, previously held a lobster or crab fishing license that was not revoked or suspended and reported lobster or crab landings to the Department of Marine Resources under that license is eligible to obtain a Class I, Class II or Class III lobster and crab fishing license.