

STATE OF MAINE

—
 IN THE YEAR OF OUR LORD
 TWO THOUSAND AND SEVENTEEN

—
 H.P. 1004 - L.D. 1454

An Act To Extend the Time for an Appeal of Limited Entry Fishing License Denial for Members of the Military

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

Sec. 1. 12 MRSA §6310-A, sub-§1, as enacted by PL 2013, c. 319, §2, is amended to read:

1. Appeal of license denial. A person who is denied a license for a limited entry fishery because that person does not meet the eligibility requirements due to service in the United States Armed Forces or the United States Coast Guard precluding that person from participating in the fishery may appeal to the commissioner under this section for a review of that license denial. A license may be granted by the commissioner under this section only if the person:

- A. Documents that the person harvested the relevant species while in possession of a fishing license for that species within one year prior to entering the service;
- ~~B. Has not served for more than 10 consecutive years since the most recent year in which the person held a license;~~
- C. Has not been dishonorably discharged from service; and
- D. Requests an appeal under this section within one year of discharge from service.

~~Notwithstanding paragraphs B and D, a license may be granted to a person pursuant to this section who is actively serving in the United States Armed Forces or the United States Coast Guard for a period of more than 10 consecutive years as long as the person pays a license fee for each year beyond those 10 years.~~

Sec. 2. 12 MRSA §6310-B is enacted to read:

§6310-B. Continued eligibility for lobster and crab fishing licenses following successful appeal

A person who, upon appeal pursuant to section 6310-A, is issued a Class I, II or III lobster and crab fishing license shall submit landings data for the following 2 license

years in accordance with rules adopted pursuant to section 6173. During the 2nd license year following the successful appeal in which that person holds a Class I, II or III lobster and crab fishing license, the person shall provide landings reports indicating a minimum of 50 landings days and sales of lobster to an individual licensed under section 6851 during that license year. If a person fails to meet the requirements of this section, the person is no longer eligible for a Class I, II or III lobster and crab fishing license and the commissioner shall revoke the license in accordance with the provisions of sections 6352 and 6353.