

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND EIGHTEEN

H.P. 1200 - L.D. 1720

**An Act To Increase Flexibility in the Temporary Medical Allowance for
Lobster and Crab Fishing License Holders**

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

Sec. 1. 12 MRSA §6450, sub-§1, as enacted by PL 2013, c. 239, §9, is amended to read:

1. Temporary medical allowance. Notwithstanding section 6421, upon request the commissioner may issue a temporary medical allowance that permits an individual to fish under the authority of the license of a Class I, Class II or Class III lobster and crab fishing license holder but not under the license holder's direct supervision if the following criteria are met:

- A. The individual who will be fishing has successfully completed an apprentice program under section 6422;
- B. The individual who will be fishing is the child or spouse of the individual who holds the Class I, Class II or Class III lobster and crab fishing license;
- C. The holder of the Class I, Class II or Class III lobster and crab fishing license is unable to use that license due to a substantial illness or medical condition. The holder of the Class I, Class II or Class III lobster and crab fishing license shall provide the commissioner with documentation from a physician describing the illness or other medical condition; and
- D. The holder of the Class I, Class II or Class III lobster and crab fishing license documents to the commissioner that the license holder harvested a minimum of 1,000 pounds of lobsters within one year prior to the request for the temporary medical allowance.

~~A temporary medical allowance may not exceed one year.~~ A request for a temporary medical allowance must be in writing and must specify the dates for which the temporary medical allowance is requested. The holder of the Class I, Class II or Class III lobster and crab fishing license on which the temporary medical allowance is based must maintain a valid license during the duration of the temporary medical allowance. The

holder of the Class I, Class II or Class III lobster and crab fishing license is liable for the activities of the individual fishing under the temporary medical allowance.

Sec. 2. 12 MRSA §6450, sub-§§2 and 3 are enacted to read:

2. Term. A temporary medical allowance may not exceed one year or, upon renewal under subsection 3, a total of 2 consecutive years.

3. Renewal. The commissioner may renew a temporary medical allowance issued under subsection 1 for a maximum of one year upon a request in writing from the holder of the Class I, Class II or Class III lobster and crab fishing license upon which the temporary medical allowance is based. A request under this subsection must be received by the commissioner before the expiration of a current temporary medical allowance issued to that license holder.