MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

No. 1781

H.P. 1319

House of Representatives, January 25, 1994

An Act to Amend the Sea Urchin Harvesting and Licensing Laws and to Establish the Sea Urchin Fund.

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26. Reference to the Committee on Marine Resources suggested and ordered printed.

OSEPH W. MAYO, Clerk

Presented by Representative RAND of Portland. Cosponsored by Representatives: ADAMS of Portland, CARROLL of Gray, KERR of Old Orchard Beach, PLOURDE of Biddeford, Senator: CONLEY of Cumberland.

•	Emergency preamble. Whereas, Acts of the Legislature do not
2	become effective until 90 days after adjournment unless enacted
	as emergencies; and
4	
	Whereas, the season closure enacted by Public Law 1993,
6 ·	chapter 416 is longer than is necessary to protect the sea urchin
	resource and threatens the economic viability of the sea urchin
8	industry; and
10	Whereas, funding is needed to further study the sea urchin
	resource; and
12	
	Whereas, in the judgment of the Legislature, these facts
14	create an emergency within the meaning of the Constitution of
•	Maine and require the following legislation as immediately
16	necessary for the preservation of the public peace, health and
	safety; now, therefore,
18	
	Be it enacted by the People of the State of Maine as follows:
20	
	Sec. 1. 12 MRSA §6748, sub-§§3 and 4, as enacted by PL 1993, c.
22	416, $\S 2$ and affected by $\S 4$, are amended to read:
24	3. Eligibility. A handfishing sea urchin license may be
	issued only to an individual and who holds a current
26	certification from a nationally recognized scuba certification
2.0	agency. A handfishing sea urchin license is a resident license.
28	O The Other Company has deliberated and the linear in-
20	4. Fee. The fee for a handfishing sea urchin license is
30	\$89 <u>\$250</u> .
32	Sec. 2. 12 MRSA §6748-A, sub-§4, as enacted by PL 1993, c.
34	416, \$2, is amended to read:
34	410, 32, is amended to read:
	4. Fee. The fee for a sea urchin boat license is \$89 \$250.
36	Ψ. ree. The ree for a sea dichin boat ficense is φου <u>φ230</u> .
30	Sec. 3. 12 MRSA §6748-B, sub-§4, as enacted by PL 1993, c.
38	416, §2, is amended to read:
50	110, 31, 15 amondod to 10da.
40	4. Fee. The fee for a sea urchin boat tender license is
	\$89 \$250.
42	
	Sec. 4. 12 MRSA §6748-C is enacted to read:
44	
	§6748-C. Sea urchin processor permit
46	
	1. Permit required. It is unlawful for a person to engage
48	in the activities authorized by the permit under this section
	without a current sea urchin processor permit.
50	

	Permitted activity. A sea urchin processor permi
2	authorizes a wholesale seafood license holder to buy and sell o
	the wholesale market, ship, transport and process sea urchins o
4	their parts.
6	3. Eligibility. A sea urchin processor permit may be
	issued only to the holder of a current wholesale seafood license.
8	
	4. Fee. The fee for a sea urchin processor permit is
10	\$2,500.
12	Sec. 5. 12 MRSA §6749, as enacted by PL 1993, c. 416, §2, is
	amended to read:
14	
	§6749. Sea urchin harvesting season
16	
	It is unlawful for a person to fish for or take sea urching
18	from May 15th 1st to August-15th June 30th, both days inclusive.
20	Sec. 6. 12 MRSA §6749-C, sub-§4 is enacted to read:
20	bee. o. La Markota gover co bato gu ib enaceda co read.
22	4. Scuba certification. The commissioner may adopt rules
	regarding which scuba certification agencies are recognized by
24	the commissioner for purposes of complying with section 6748,
	subsection 3.
26	
2.0	Sec. 7. 12 MRSA c. 623, sub-c. II-C, article 3 is enacted to read:
28	hetialo 2
30	<u>Article 3</u> <u>Sea Urchin Fun</u> d
30	Sea Orchin Fund
32	§6750. Sea Urchin Fund
2.4	
34	1. Fund established. The Sea Urchin Fund is established and must be maintained by the commissioner for the purposes of
36	sea urchin resource conservation, research and enforcement.
30	sea dichin lesource conservacion, lesearch and enforcement.
38	2. Fees paid to fund. Sixty-four and 4/10% of all fees
	from handfishing sea urchin licenses, sea urchin boat licenses,
40	sea urchin boat tender licenses and sea urchin processor permits
	must be paid into the Sea Urchin Fund.
42	
4.4	3. Fund; uses. The commissioner may expend the money in
44	the Sea Urchin Fund for management, enforcement, restoration,
46	development and conservation of sea urchins in the coastal waters.
- U	A Nonlanging fund The Sea Highlin Fund may not lance but

must be carried forward for the purposes under this article.

48

2	Emergency clause. In view of the emergency cited in the
4	preamble, this Act takes effect when approved.
6	STATEMENT OF FACT
8	This bill shortens the sea urchin harvesting closed season from 3 months to 2 months. This bill also increases license fees
10	and dedicates the increase to the Sea Urchin Fund to be used by the Department of Marine Resources for sea urchin resource
12	conservation, research and enforcement. Finally, this bill requires that persons diving for sea urchins possess a scuba
14	certification from a nationally recognized agency.
L 6	
L8	
20	
	This document has not yet been reviewed to determine the
22	need for cross-reference, stylistic and other technical amendments to conform existing law to current drafting standards.