

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 2213

H.P. 1726

House of Representatives, April 1, 2002

**Resolve, Dealing With One-time License Transfers of Sea Urchin
Dragging Licenses.**

(EMERGENCY)

Reported by Representative LEMOINE for the Joint Standing Committee on Marine Resources pursuant to Joint Order 2001, H.P. 1705.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

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

4
6 **Whereas,** the 120th Legislature enacted Public Law 2001,
chapter 327 to end the practice of sea urchin license leasing,
which law also grandfathered persons who had been fishing on
8 leased licenses, through a one-time license transfer program; and

10 **Whereas,** the one-time license transfer program was intended
to stop future license leasing without adversely impacting those
12 persons who had been fishing legally under the previously
existing system; and

14
16 **Whereas,** certain individuals, however, who had been sea
urchin fishing on leased licenses in the past were not able to
18 qualify for licenses under the provisions of the one-time license
transfer program; and

20 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
22 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
24 safety; now, therefore, be it

26 **Sec. 1. One-time issuance of new sea urchin licenses. Resolved:**
That a person who meets the requirements of one of the following
28 subsections may apply to the Commissioner of Marine Resources for
a sea urchin dragging license in 2002. The person must provide
30 written documentation to the commissioner that the person meets
the requirements. The commissioner shall issue a 2002 sea urchin
32 dragging license to a person who demonstrates that:

34 1. The person was the owner of a vessel named on a sea
urchin dragging license under the Maine Revised Statutes, Title
36 12, section 6748-A in 2001 but not the person named on that
license. A person who meets the requirements of this subsection
38 must provide written documentation to the Commissioner of Marine
Resources within 60 days after the effective date of this
40 subsection;

42 2. The person was the owner of a vessel named on a sea
urchin dragging license under Title 12, section 6748-A in 2001
44 but not the person named on that license and the holder of that
license did not authorize a transfer of the license pursuant to
46 Title 12, section 6748-A, subsection 2-A;

48 3. The person was the owner of a vessel named on a sea
urchin dragging license in 2000 but not the person named on that

license and the license was a Passamaquoddy tribal license issued under Title 12, section 6302-A;

4. The person was the owner of a vessel named on a sea urchin dragging license under Title 12, section 6748-A in 2000 but not the person named on that license and the holder of that license died prior to December 1, 2001;

5. The person held or leased more than one sea urchin dragging license for 2000 and 2001, was the owner of the vessels named on those licenses during those same years and is currently the owner of the vessels named on those licenses; or

6. The person fished in 1997, 1998, 1999 and 2000 under a sea urchin dragging license issued under Title 12, section 6748-A to a parent who has a permanent medical disability and from a vessel owned by a parent who has a permanent medical disability. A person who meets the requirements of this subsection must provide written documentation to the Commissioner of Marine Resources within 10 days after the effective date of this subsection.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

FISCAL NOTE

2002-03

REVENUES

| | |
|--------------|---------|
| General Fund | \$2,225 |
| Other Funds | 4,000 |

The one-time issuance of new sea urchin licenses to certain individuals will increase General Fund revenue by an estimated \$2,225 in fiscal year 2002-03. The issuance of new sea urchin licenses will also increase dedicated revenues collected by the Department of Marine Resources by an estimated \$4,000 in fiscal year 2002-03.

SUMMARY

This resolve allows new sea urchin dragging licenses to be issued to certain persons who fish for sea urchins who were not able to qualify for license transfers under the one-time license

transfer program. The resolve sets deadlines within which an
2 affected person who fishes must provide documentation to the
Commissioner of Marine Resources that the person who fishes meets
4 the requirements.