

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1994

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Legislative Document

No. 1781

H.P. 1319

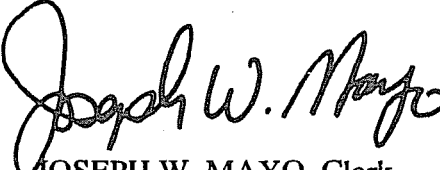
House of Representatives, January 25, 1994

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

(EMERGENCY)

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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.

  
JOSEPH 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  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

Whereas, the season closure enacted by Public Law 1993,  
chapter 416 is longer than is necessary to protect the sea urchin  
resource and threatens the economic viability of the sea urchin  
industry; and

Whereas, funding is needed to further study the sea urchin  
resource; and

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

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

Sec. 1. 12 MRSA §6748, sub-§§3 and 4, as enacted by PL 1993, c.  
416, §2 and affected by §4, are amended to read:

3. Eligibility. A handfishing sea urchin license may be  
issued only to an individual and who holds a current  
certification from a nationally recognized scuba certification  
agency. A handfishing sea urchin license is a resident license.

4. Fee. The fee for a handfishing sea urchin license is  
\$89 ~~\$250~~.

Sec. 2. 12 MRSA §6748-A, sub-§4, as enacted by PL 1993, c.  
416, §2, is amended to read:

4. Fee. The fee for a sea urchin boat license is \$89 ~~\$250~~.

Sec. 3. 12 MRSA §6748-B, sub-§4, as enacted by PL 1993, c.  
416, §2, is amended to read:

4. Fee. The fee for a sea urchin boat tender license is  
\$89 ~~\$250~~.

Sec. 4. 12 MRSA §6748-C is enacted to read:

§6748-C. Sea urchin processor permit

1. Permit required. It is unlawful for a person to engage  
in the activities authorized by the permit under this section  
without a current sea urchin processor permit.

2           2. Permitted activity. A sea urchin processor permit  
4           authorizes a wholesale seafood license holder to buy and sell on  
            the wholesale market, ship, transport and process sea urchins or  
            their parts.

6           3. Eligibility. A sea urchin processor permit may be  
8           issued only to the holder of a current wholesale seafood license.

10          4. Fee. The fee for a sea urchin processor permit is  
            \$2,500.

12          Sec. 5. 12 MRSA §6749, as enacted by PL 1993, c. 416, §2, is  
14          amended to read:

16          **§6749. Sea urchin harvesting season**

18                 It is unlawful for a person to fish for or take sea urchins  
                  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:

22                 4. Scuba certification. The commissioner may adopt rules  
24                 regarding which scuba certification agencies are recognized by  
                  the commissioner for purposes of complying with section 6748,  
                  subsection 3.

26          Sec. 7. 12 MRSA c. 623, sub-c. II-C, article 3 is enacted to read:

28                                 **Article 3**  
30                                 **Sea Urchin Fund**

32          **§6750. Sea Urchin Fund**

34                 1. Fund established. The Sea Urchin Fund is established  
36                 and must be maintained by the commissioner for the purposes of  
                  sea urchin resource conservation, research and enforcement.

38                 2. Fees paid to fund. Sixty-four and 4/10% of all fees  
40                 from handfishing sea urchin licenses, sea urchin boat licenses,  
                  sea urchin boat tender licenses and sea urchin processor permits  
                  must be paid into the Sea Urchin Fund.

42                 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.

48                 4. Nonlapsing fund. The Sea Urchin Fund may not lapse, but  
                  must be carried forward for the purposes under this article.

