

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1215

H.P. 865

House of Representatives, April 5, 1995

An Act to Clarify Licensing in the Sea Urchin Fishery.

Submitted by the Department of Marine Resources pursuant to Joint Rule 24.
Reference to the Committee on Marine Resources suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative CLOUTIER of South Portland.
Cosponsored by Senator: GOLDTHWAIT of Hancock.

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

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

§6748. Commercial sea urchin diving license

1. **License required.** It is unlawful for a person to engage in the activities authorized by the license under this section without a current handfishing commercial sea urchin diving license or other license issued under this Part authorizing the activities.

2. **Licensed activity.** The holder of a handfishing commercial sea urchin diving license may take sea urchins by hand or possess, ship, transport or sell sea urchins taken by that licensee.

3. **Eligibility.** A handfishing commercial sea urchin diving license may be issued only to an individual and is a resident license.

4. **Fee.** The fee for a handfishing commercial sea urchin diving license is \$89.

Sec. 2. 12 MRSA §6748-D is enacted to read:

§6748-D. Sea urchin hand-raking and trapping license

1. **License required.** It is unlawful for a person to engage in the activities authorized under this section without a current sea urchin hand-raking and trapping license.

2. **License activity.** The holder of a sea urchin hand-raking and trapping license may take sea urchins by hand-raking or by trap and possess, ship, transport or sell sea urchins taken by that licensee.

3. **Eligibility.** A sea urchin hand-raking and trapping license may be issued only to an individual and is a resident license.

4. **Fee.** The fee for a hand-raking and trapping license is \$89.

Sec. 3. 12 MRSA §§6749-O to 6749-Q, as enacted by PL 1993, c. 740, §3, are amended to read:

§6749-O. Limited entry

2 The commissioner may not issue a handfishing commercial sea
urchin diving license or a sea urchin dragging license for
4 calendar years 1994, 1995, 1996, 1997 or 1998 to any person
unless that person possessed that license in the previous
6 calendar year.

8 The commissioner may not issue a sea urchin hand-raking and
trapping license for calendar years 1995, 1996, 1997 or 1998
10 unless that person possessed either a handfishing sea urchin
license, commercial sea urchin license or sea urchin dragging
12 license in 1994.

14 **§6749-P. Licenses by zone**

16 For calendar years 1995, 1996, 1997 and 1998, a person
eligible to purchase a license under section 6749-O, may purchase
18 those licenses only for Zone 1 or Zone 2. All of those licenses
issued to any one person in any one year must be for the same
20 zone. A commercial sea urchin diving license, sea urchin
hand-raking and trapping license and a sea urchin dragging
22 license only authorizes the license activity in the zone for
which it is issued. A sea urchin dragging license must list the
24 documentation or registration number of the vessel to be used by
that licensee when dragging. A vessel documentation number or
26 registration number may not be listed on more than one sea urchin
boat license.

28 **§6749-Q. License surcharges**

30 The following surcharges are assessed on licenses sold for
32 calendar years 1995, 1996 and 1997:

34 **1. Commercial sea urchin diving license.** One hundred and
sixty dollars on a sea urchin hand harvesting license;

36 **1-A. Sea urchin hand-raking and trapping license.** One
hundred and sixty dollars on a sea urchin hand-raking and
38 trapping license;

40 **2. Sea urchin dragging license.** One hundred and sixty
dollars on a sea urchin dragging license;

42 **3. Sea urchin boat tender's license.** Thirty-five dollars
44 on a sea urchin boat tender's license;

46 **4. Wholesale seafood license with a sea urchin buyer's**
48 **permit.** Five hundred dollars on a wholesale seafood license with
a sea urchin buyer's permit; and

2 **5. Wholesale seafood license with a sea urchin processor's**
3 **permit.** Two thousand five hundred dollars on a wholesale seafood
4 license with a sea urchin processor's permit.

5 The commissioner shall deposit all surcharges assessed in this
6 section in the Sea Urchin Research Fund established in section
7 6749-R.

10 **STATEMENT OF FACT**

12 In current law, licenses exist for dragging and taking
13 urchins by hand diving. New techniques such as trapping and
14 raking are being used to fish for urchins that are not provided
15 for under current licenses. In this bill, the license addresses
16 those fisheries. It would be inappropriate to use the existing
17 handfishing license as that is intended to apply to divers and
18 places requirements on license holders that would not apply to
19 trapping or raking.

20 This bill renames the handfishing sea urchin license,
21 establishes the sea urchin hand-raking and trapping license,
22 modifies the limited entry statute to include the new sea urchin
23 hand-raking and trapping license, includes the new sea urchin
24 hand-raking and trapping license in the statute that specifies
25 that fishing may only occur in one zone and includes the new sea
26 urchin hand-raking and trapping license in the license surcharge
27 statute.
28