

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1380

H.P. 971

House of Representatives, April 19, 1995

An Act to Strengthen the Sea Urchin Tender License.

Submitted by the Department of Marine Resources pursuant to Joint Rule 24.
Received by the Clerk of the House on April 14, 1995. Referred to the Committee on
Marine Resources and ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script 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:

2
3 **Sec. 1. 12 MRSA §6533**, as enacted by PL 1993, c. 604, §1, is
4 amended to read:

6 **§6533. Training required for tender's license**

8 The commissioner may not issue a sea urchin ~~boat~~ and scallop
9 diving tender license under section 6748-B ~~6535~~ to any person for
10 calendar year 1995 or later unless that person has attended a
11 safety training session offered under this section.

12
13 **1. Tender safety training session.** By August 15, 1994, the
14 commissioner shall establish a boat tender safety training
15 session to provide basic safety training for persons who seek to
16 obtain a sea urchin ~~boat~~ and scallop diving tender license. The
17 training session may be taught by the department or offered by
18 any public or private sector association or organization
19 authorized by the commissioner to offer the training session. At
20 a minimum, the training session must familiarize participants
21 with basic cardiovascular pulmonary resuscitation techniques and
22 risk factors, including hypothermia, associated with the
23 handharvesting of sea urchins and scallops. For any training
24 session taught by the department, the commissioner shall charge a
25 fee for that session to recover all costs incurred by the
26 department in teaching the training session.

27
28 **2. Allowance for waivers.** The commissioner may waive the
29 requirement to attend a training session offered under this
30 section for any person who demonstrates to the commissioner,
31 either through documented experience or technical or professional
32 accreditation, a level of knowledge at least equal to that
33 expected from a person who completed the session. It is the
34 responsibility of the person seeking such a waiver to request
35 that waiver in writing to the commissioner and to provide the
36 commissioner with any documentation the commissioner determines
37 necessary to make a decision.

38
39 **Sec. 2. 12 MRSA §6748-B**, as enacted by PL 1993, c. 416, §2,
40 is repealed.

41
42 **Sec. 3. 12 MRSA §6535** is enacted to read:

43
44 **§6535. Sea urchin and scallop diving tender license**

45
46 **1. License required.** It is unlawful for a person to
47 operate a boat as a platform for the harvesting of sea urchins
48 and scallops by hand, to act as a diving tender on a boat or to
49 possess, strip, transport or sell scallops or sea urchins unless
50 that person is licensed under this section, section 6748 or
51 section 6701.

