

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1996

Legislative Document

No. 1715

S.P. 655

In Senate, January 16, 1996

An Act to Create a Scallop Diving Tender License.

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 cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator GOLDTHWAIT of Hancock.
Cosponsored by Representatives: BIGL of Bucksport, VOLENIK of Sedgwick.

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

4 **Sec. 1. 12 MRSA §6536** is enacted to read:

6 **§6536. Scallop diving tender license**

8 **1. License required.** It is unlawful for a person to
10 operate a boat as a platform for the harvesting of scallops by
12 hand, to act as a diving tender on a boat or to possess, ship,
transport or sell scallops unless that person is licensed under
this section, section 6535, section 6701 or section 6748.

14 **2. Licensed activity.** A person licensed under this section
16 may tend divers and operate a boat as a platform for the
18 harvesting of scallops by hand and may possess, ship, transport
and sell scallops. A scallop diving tender license does not
authorize the holder to harvest scallops.

20 **3. Eligibility.** A scallop diving tender license may be
issued only to an individual and is a resident license.

22 **4. Fee.** The fee for a scallop diving tender license is \$89.

24 **5. Prima facie evidence.** The failure of at least one
26 person on board the boat operated as a platform during periods of
diving to harvest scallops to have a license issued under section
28 6701 is prima facie evidence of a violation of this section.

30 **STATEMENT OF FACT**

32 There currently is a license for individuals who perform as
34 tenders in both the sea urchin and scallop fisheries. Since they
are in the sea urchin fishery, a surcharge is applied to the
license. There are individuals who perform as tenders only in
36 the scallop fishery who should not be subject to the surcharge.
This bill creates a license for this class of individuals.