

# MAINE STATE LEGISLATURE

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MARINE RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 362, L.D. 507, Bill, "An Act Concerning Sea Urchin Management"

Amend the bill by inserting after the title and before the enacting clause the following:

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

Whereas, effective management and conservation of Maine's sea urchin industry require certain measures to be in place before the opening of the 1997-98 sea urchin harvesting season; 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,

Further amend the bill by inserting after section 1 the following:

Sec. 2. 12 MRSA §6749-R, sub-§1, as enacted by PL 1993, c. 740, §3, is amended to read:

1. Uses of the fund. The commissioner shall use the fund for research directly related to sea urchin fishery management information needs and for reporting to licensed sea urchin harvesters, boat tenders, processors and buyers on the results of

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2 research and the use of fund revenues. The purpose of that  
3 research must be to determine, with the highest reliability  
4 possible given available resources, the greatest level of effort  
5 that may be applied to the sea urchin fishery without harming the  
6 long-term economic and biological sustainability of the sea  
7 urchin fishery. The commissioner shall consult with the Sea  
8 Urchin Zone Council under section 6749-X before deciding upon  
research projects and awarding grants from the fund.'

10 Further amend the bill by inserting after section 2 the  
11 following:

12 'Sec. 3. 12 MRSA §6749-W, sub-§2, ¶A, as enacted by PL 1995,  
13 c. 595, §5 and affected by §6, is amended to read:

14 A. ~~One-hundred-and-fifty~~ Up to 150 days between August 1st  
15 and April 30th of the following calendar year during which a  
16 person may fish for or take sea urchins by hand, trap or  
17 rake. The commissioner is not required to designate the  
18 days in consecutive order; and

19 Sec. 4. 12 MRSA §6749-W, sub-§3, ¶A, as enacted by PL 1995, c.  
20 595, §5 and affected by §6, is amended to read:

21 A. ~~One-hundred-and-seventy~~ Up to 170 days between August  
22 1st and April 30th of the following calendar year during  
23 which a person may fish for or take sea urchins by hand,  
24 trap or rake. The commissioner is not required to designate  
25 the days in consecutive order; and

26 Sec. 5. 12 MRSA §6749-W, sub-§§4 and 5 are enacted to read:

27 4. Limitation on approving zone changes. The commissioner  
28 may not authorize a zone change between August 1st and December  
29 31st.

30 5. Effective date of zone change. The effective date of a  
31 zone change authorized by the commissioner is August 1st.

32 Sec. 6. 12 MRSA §6749-X, sub-§3, as enacted by PL 1995, c.  
33 595, §5, is amended to read:

34 3. Purpose. The council shall make recommendations to the  
35 commissioner concerning ~~the--designation--of--open--days--for--the~~  
36 ~~harvesting--of--sea--urchins--by--handfishing,--dragging,--hand-raking~~  
37 ~~and--trapping--pursuant--to--section--6749-W, ;~~

38 A. The designation of open days for the harvesting of sea  
39 urchins by handfishing, dragging, hand-raking and trapping  
40 pursuant to section 6749-W;



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2 Urchin Research Fund by \$180,000 annually in fiscal years 1997-98  
and 1998-99 only. The department will require additional Other  
4 Special Revenue allocations in these amounts to authorize the  
expenditure of the additional revenue.'

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**SUMMARY**

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10 The amendment authorizes the Commissioner of Marine  
Resources to designate up to 150 days in sea urchin zone 1 and up  
to 170 days in sea urchin zone 2 as open days for the harvesting  
12 of sea urchins by hand, trap or rake. Under current law, the  
commissioner is required to designate 150 days in zone 1 and 170  
14 days in zone 2. The amendment also requires the commissioner to  
consult with the Sea Urchin Zone Council before deciding upon  
16 research projects and grants funded by the Sea Urchin Research  
Fund. The amendment also requires the commissioner to use the  
18 fund for communicating research results and uses of fund revenues  
to licensed sea urchin harvesters, boat tenders, processors and  
20 buyers. In addition, the amendment makes authorized zone changes  
for harvesters effective as of the start of the sea urchin season.

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