

MAINE STATE LEGISLATURE

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DATE: 3-24-98

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1547, L.D. 2176, Bill, "An Act Concerning Sea Urchin Management"

Amend the amendment by striking out all of the first 2 lines after the title and all of section 3 (page 1, lines 22 to 46 and page 2, lines 1 to 46 in amendment) and inserting in their place the following:

Amend the bill by striking out all of sections 2 and 3 and inserting in their place the following:

Sec. 2. 12 MRSA §6749-O, sub-§1, as amended by PL 1995, c. 595, §3, is further amended to read:

1. Handfishing and dragging licenses. Except as provided in subsections 3 and 4, the commissioner may not issue a handfishing sea urchin license or a sea urchin dragging license for calendar year 1994, 1995, 1996, 1997 or 1998 to any person unless that person possessed that license in the previous calendar year. This subsection is repealed December 31, 1998.

Sec. 3. 12 MRSA §6749-O, sub-§1-A is enacted to read:

1-A. Dragging license. Except as provided in subsections 3 and 4, the commissioner may not issue a sea urchin dragging license to any person unless that person possessed that license in the previous calendar year.

Sec. 4. 12 MRSA §6749-O, sub-§2, as amended by PL 1995, c. 595, §3, is further amended to read:

HOUSE AMENDMENT

2 **2. Hand-raking and trapping license.** Except as provided in
3 subsections 3 and 4, the commissioner may not issue a sea urchin
4 hand-raking and trapping license for calendar year 1996 to any
5 person unless that person possessed either a handfishing sea
6 urchin license or a sea urchin dragging license in calendar year
7 1995. The commissioner may not issue a sea urchin hand-raking
8 and trapping license for calendar year 1997 or 1998 to any person
9 unless that person possessed a sea urchin hand-raking and
10 trapping license in the previous calendar year. A person who is
11 issued a sea urchin hand-raking and trapping license may not be
12 issued a handfishing sea urchin license or a sea urchin dragging
13 license in the same calendar year. This subsection is repealed
14 December 31, 1998.

16 **Sec. 5. 12 MRSA §6749-O, sub-§§2-A and 2-B** are enacted to read:

18 **2-A. License eligibility.** The commissioner may not issue a
19 handfishing sea urchin license or a sea urchin hand-raking and
20 trapping license to any person for calendar year 1999, 2000 or
21 2001 unless that person possessed that license in the previous
22 calendar year or becomes eligible to obtain that license pursuant
23 to a lottery under subsection 2-B.

24 **2-B. Sea urchin license lottery.** The commissioner shall
25 establish by rule a lottery system under which a person who did
26 not hold a handfishing sea urchin license or a sea urchin
27 hand-raking and trapping license in the previous calendar year
28 may become eligible to obtain that license in calendar year 1999,
29 2000 or 2001 for use in a zone established pursuant to section
30 6749-N. The rules for a lottery system must include provisions
31 for the method and administration of a lottery. The rules may
32 include provisions for a method under which a person may submit
33 more than one entry in a lottery based on the prior calendar
34 years a person held a license that qualify that person for a
35 lottery. Rules adopted pursuant to this subsection are routine
36 technical rules as defined in Title 5, chapter 375, subchapter
37 II-A.

40 A. Pursuant to section 6749-P, all licenses issued to a
41 person in a calendar year must be for use in the same zone.

42 B. A person may not enter more than one license lottery
43 during a calendar year.

44 C. A person is eligible to enter a lottery for a
45 handfishing sea urchin license and a sea urchin hand-raking
46 and trapping license if that person held in the previous
47 calendar year a sea urchin and scallop diving tender license
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2 issued under section 6535 that was valid for more than 30
3 days or if that person held in the previous calendar year a
4 handfishing scallop license issued under section 6701.

5
6 D. Except as provided in paragraph E, the number of persons
7 awarded eligibility in a lottery for a handfishing sea
8 urchin license or a sea urchin hand-raking and trapping
9 license in a zone must be in accordance with the exit ratio
10 for that license in that zone. For the purposes of this
11 paragraph, "exit ratio" means that one person may be awarded
12 eligibility in a license lottery for every 5 persons who
13 held that license in the year prior to the previous calendar
14 year but who did not renew that license in the previous
15 calendar year.

16 E. The commissioner may hold a combined lottery for sea
17 urchin handfishing licenses and sea urchin hand-raking and
18 trapping licenses in a zone if the exit ratio for those
19 licenses in that zone is reached. For the purposes of this
20 paragraph, "exit ratio" means that one person may be awarded
21 eligibility in a lottery to obtain either a sea urchin
22 handfishing license or a sea urchin hand-raking and trapping
23 license for every 5 persons who held a sea urchin
24 handfishing license or a sea urchin hand-raking and trapping
25 license in the year prior to the previous calendar year but
26 who did not renew the license in the previous calendar
27 year.'

28
29 Further amend the amendment by inserting after section 16
30 the following:

31
32 'Further amend the bill by relettering or renumbering any
33 nonconsecutive Part letter or section number to read
34 consecutively.'

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11. of 13

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1547,
L.D. 2176

SUMMARY

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This amendment sustains the current moratorium on the issue of sea urchin dragging licenses but retains the other provisions of the bill and Committee Amendment "A" that established a lottery for the issue of handfishing sea urchin licenses and sea urchin hand-raking and trapping licenses.

SPONSORED BY: Royce W. Perkins
(Representative PERKINS)

TOWN: Penobscot

HOUSE AMENDMENT