

MAINE STATE LEGISLATURE

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Date: 5/4/07

L.D. 1595
(Filing No. H-191)

MARINE RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST REGULAR SESSION

9 COMMITTEE AMENDMENT "A" to H.P. 1117, L.D. 1595, Bill, "An Act To
10 Ensure the Proper Management of the Sea Urchin Industry"

11 Amend the bill by striking out everything after the enacting clause and inserting the
12 following:

13 'Sec. 1. 12 MRSA §6024, sub-§1-A, as amended by PL 1999, c. 85, §2, is further
14 amended to read:

15 **1-A. Appointment; composition; term; compensation.** The Marine Resources
16 Advisory Council, established by Title 5, section 12004-G, subsection 27, consists of 15
17 members. The Chair of the Lobster Advisory Council ~~and~~ the chair of the Marine
18 Recreational Fishing Advisory Council and the chair of the Sea Urchin Zone Council are
19 ex officio members of the council. Each other member is appointed by the Governor and
20 is subject to review by the joint standing committee of the Legislature having jurisdiction
21 over marine resources and to confirmation by the Legislature. ~~Seven~~ Six members must
22 be persons who are licensed under this Part to engage in commercial harvesting activities.
23 Those ~~7~~ 6 members are selected by the Governor from names recommended to the
24 Governor by groups representing commercial harvesting interests. Each member must
25 represent a different commercial harvesting activity, except that none of those ~~7~~ 6
26 members may represent lobster harvesters. The remaining 6 members must include one
27 public member, 4 persons who hold a nonharvesting-related license under this Part and
28 one person representing the aquaculture industry. The Governor shall select the person to
29 represent the aquaculture industry from among the names recommended by the
30 aquaculture industry. The composition of the council must reflect a geographical
31 distribution along the coast. All appointed members are appointed for a term of 3 years,
32 except a vacancy must be filled in the same manner as an original member for the
33 unexpired portion of the term. An appointed member may not serve for more than 2
34 consecutive terms. Appointed members serve until their successors are appointed. The
35 Chair of the Lobster Advisory Council ~~and~~ the chair of the Marine Recreational Fishing
36 Advisory Council and the chair of the Sea Urchin Zone Council shall serve until a new
37 Chair of the Lobster Advisory Council ~~or~~ a new chair of the Marine Recreational Fishing

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 1117, L.D. 1595

1 Advisory Council or a new chair of the Sea Urchin Zone Council, respectively, is chosen.
2 Members are compensated as provided in Title 5, chapter 379.

3 **Sec. 2. 12 MRSA §6749-X, sub-§1**, as amended by PL 1999, c. 244, §5, is
4 further amended to read:

5 **1. Appointment and election; composition.** The Sea Urchin Zone Council,
6 referred to in this section as the "council," established by Title 5, section 12004-I,
7 subsection 57-B, consists of ~~19~~ 15 members. ~~The commissioner shall appoint the~~
8 ~~members~~ Seven members of the council are elected by the sea urchin industry as follows:

- 9 A. ~~Three~~ One sea urchin ~~harvesters~~ harvester who ~~hold~~ holds a current handfishing
10 sea urchin license for Zone 1;
- 11 B. ~~Three~~ One sea urchin ~~harvesters~~ harvester who ~~hold~~ holds a current handfishing
12 sea urchin license for Zone 2;
- 13 C. ~~Three~~ One sea urchin ~~harvesters~~ harvester who ~~hold~~ holds a current sea urchin
14 dragners license for Zone 1;
- 15 D. ~~Three~~ One sea urchin ~~harvesters~~ harvester who ~~hold~~ holds a current sea urchin
16 dragners license for Zone 2;
- 17 E. ~~Two individuals whose base of operation is located in Zone 1 and who hold either~~
18 ~~a current sea urchin processor's permit or a current~~ One individual who holds a
19 current wholesale seafood license with a sea urchin buyer's permit;
- 20 F. ~~Two individuals whose base of operation is located in Zone 2 and who hold either~~
21 ~~a current~~ One individual who holds a current wholesale seafood license with a sea
22 urchin processor's permit or a current sea urchin buyer's permit; and
- 23 I. ~~Two scientists who have expertise in marine resources management; and~~
- 24 J. One sea urchin harvester who holds a current boat tender's license.

25 The commissioner shall appoint the remaining 8 members. If possible, those 8
26 appointees must include, but not be limited to, a marine scientist, an aquaculturalist, a
27 person holding a sea urchin dragners license, a person holding a sea urchin and scallop
28 diving tender license and a person holding a sea urchin hand-raking and trapping license.
29 In making appointments under paragraphs A, B, C and D this subsection, the
30 commissioner shall select members to ensure a geographic distribution of representation
31 from each zone.

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

33 **1-A. Elections.** The commissioner shall adopt by rule procedures for conducting the
34 election of members required under subsection 1. Rules adopted under this subsection
35 are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

36 **Sec. 4. 12 MRSA §6749-X, sub-§2**, as enacted by PL 1995, c. 595, §5, is
37 amended to read:

38 **2. Term.** Council members serve for 2 years and continue serving until a successor
39 is duly appointed or elected and qualified. When a vacancy occurs of an appointed
40 member, the commissioner shall fill the vacancy by appointing a member from the same

COMMITTEE AMENDMENT "A" to H.P. 1117, L.D. 1595

1 category of members listed in subsection 1 as the member who vacated the council.
2 When a vacancy occurs of an elected member, the vacancy must be filled by an election
3 as provided by rule.'

4 **SUMMARY**

5 This amendment replaces the bill and adds the chair of the Sea Urchin Zone Council
6 to the Marine Resources Advisory Council and changes the makeup of the Sea Urchin
7 Zone Council. It reduces the number of Sea Urchin Zone Council members from 19 to
8 15 and provides that 7 members are to be elected by the sea urchin industry and 8
9 appointed by the Commissioner of Marine Resources.

FISCAL NOTE REQUIRED
(See attached)



Approved: 05/02/07 *mac*

123rd MAINE LEGISLATURE

LD 1595

LR 2213(02)

An Act To Ensure the Proper Management of the Sea Urchin Industry

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Marine Resources

Fiscal Note Required: Yes

Fiscal Note

Minor savings - General Fund