

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

development matters concerning the need for extending authorization of the fund.

**Sec. 17. 5 MRSA §13092-A**, as enacted by PL 1989, c. 553, §1 and amended by c. 700, Pt. A, §21 and repealed by c. 875, Pt. M, §§8 and 13, is repealed.

See title page for effective date.

## CHAPTER 199

S.P. 482 - L.D. 1450

### An Act Regarding Railroad Police Training

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

**Sec. 1. 23 MRSA §6072, sub-§1**, as enacted by PL 1987, c. 141, Pt. A, §4, is amended to read:

**1. Qualified person.** "Qualified person" means a person who:

A. Has met all the education and training requirements as outlined under ~~Mandatory Training Law, former~~ Title 25, section 2805, first paragraph or Title 25, sections 2804-B and 2804-C; and

A-1. Continues to meet all the in-service training requirements pursuant to Title 25, section 2804-E; and

B. Is of good moral character and has no record of conviction of a serious crime.

The qualification ~~and in-service training~~ requirements of paragraph A do not apply to any individual who was employed on a full-time basis by a railroad as a police officer on October 24, 1977.

See title page for effective date.

## CHAPTER 200

S.P. 483 - L.D. 1451

### An Act To Manage the Sea Urchin Fishery

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

**Whereas**, the sea urchin population along the coast of Maine has dramatically declined over the last decade and increased conservation efforts are needed to maintain a viable sea urchin fishery; and

**Whereas**, the sea urchin fishing season will begin on August 31st and this legislation will affect that fishing 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,

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

**Sec. 1. 12 MRSA §6404-E** is enacted to read:

#### §6404-E. Suspension based on 3 or more convictions of possessing small sea urchins

The commissioner shall suspend the sea urchin fishing license of any license holder convicted in court of a 3rd or subsequent offense of possessing sea urchins smaller than the minimum size established pursuant to section 6749-A. The suspension must be for at least one year from the date of conviction and may be up to 3 years. Any conviction occurring more than 5 years before the last conviction may not be counted in determining the suspension.

**Sec. 2. 12 MRSA §6749-A**, as amended by PL 2001, c. 327, §9, is repealed and the following enacted in its place:

#### §6749-A. Minimum size

**1. Zone 1 prohibition.** Except as provided in this subsection, a person may not take, possess, ship, transport, buy or sell a sea urchin having shell measurements less than the minimum size established by rule for Zone 1.

A. A person holding a dragging license may take a sea urchin that measures less than the minimum size established by rule for Zone 1 if that sea urchin is harvested by dragging and is immediately culled on board and liberated alive into the marine waters.

B. A person who holds a hand-fishing license may take a sea urchin that measures less than the minimum size established by rule for Zone 1 as provided by the commissioner.

**2. Zone 2 prohibition.** A person may not take, possess, ship, transport, buy or sell a sea urchin having shell measurements less than the minimum size established by rule for Zone 2. A person may take a sea urchin that measures less than the minimum size established by rule for Zone 2 if that sea urchin is culled on board immediately after harvesting and is liberated alive into the marine waters.