

MAINE STATE LEGISLATURE

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DATE: 5-13-97

(Filing No. H-457)

MARINE RESOURCES

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

COMMITTEE AMENDMENT "A" to H.P. 251, L.D. 315, Bill, "An Act to Amend the Laws Regarding Fees Charged in the Elver Fishery"

Amend the bill in section 1 by striking out all of the underlined blocked paragraph (page 1, lines 12 to 14 in L.D.) and inserting in its place the following:

'Fifty dollars of each license fee collected under this subsection accrue to the Eel and Elver Management Fund established in section 6505-D.'

Further amend the bill by striking out all of section 2 and inserting in its place the following:

Sec. 2. 12 MRSA §6505-A, sub-§5, as enacted by PL 1995, c. 536, Pt. A, §8, is amended to read:

5. Gear. The A person issued a license under this section may utilize one elver fyke net, one Sheldon eel trap or one dip net to fish for or take elvers without paying the fee required for a first net or trap pursuant to section 6505-B. A license issued under this section must identify the number and types of nets for which that the license holder has paid fees may use pursuant to this section and section 6505-B.

Sec. 3. 12 MRSA §6505-B, sub-§1, ¶¶A and B, as enacted by PL 1995, c. 536, Pt. A, §8, are repealed and the following enacted in their place:

COMMITTEE AMENDMENT

A. Fifty dollars per net or trap for the use of a first or 2nd elver fyke net or Sheldon eel trap, except that the fee under this paragraph does not apply to an elver fyke or Sheldon eel trap a person utilizes pursuant to section 6505-A, subsection 5. For the purposes of assessing fees under this subsection, an elver fyke net or Sheldon eel trap utilized pursuant to section 6505-A, subsection 5 is the first net or trap;

B. One hundred dollars per net or trap for the use of a 3rd elver fyke net or Sheldon eel trap; and

Sec. 4. 12 MRSA §6505-B, sub-§1, ¶C is enacted to read:

C. Two hundred dollars per net or trap for the use of a 4th and 5th elver fyke net or Sheldon eel trap.

Sec. 5. 12 MRSA §6505-B, sub-§3, as enacted by PL 1995, c. 536, Pt. A, §8, is amended to read:

3. **Dip net fee.** It is unlawful for a person to utilize a dip net to fish for or take elvers without paying a fee of \$75 \$50 per dip net annually.

This subsection does not apply to a dip net a person utilizes pursuant to section 6505-A, subsection 5.'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

	1997-98	1998-99
REVENUES		
Other Funds	(\$121,300)	(\$121,300)

Changes in the fee structure pertaining to the elver fishery will reduce license and gear fee collections. The estimated reduction of dedicated revenue collected by the Department of Marine Resources is \$121,300 annually beginning in fiscal year 1997-98.

Based on the rate of spending currently authorized by legislative allocations, the Eel and Elver Management Fund will experience a deficit of approximately \$6,000 at the end of fiscal year 1999-2000. The department will be forced to either reduce expenditures from the fund or request increases in fees to generate additional dedicated revenues.'

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SUMMARY

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6 The amendment clarifies that the bill's \$50 increase in
8 elver license fees, which includes the use of one elver fyke net,
10 one Sheldon eel trap or one dip net, accrues to the dedicated Eel
12 and Elver Management Fund. Under current law, all net fees are
14 paid separately from license fees. The amendment also changes
16 current law regarding the fees for use of additional gear. The
18 fee for a first and 2nd elver fyke net or Sheldon eel trap is
20 \$50, except that this fee does not apply to the first net if a
person elects to use an elver fyke net or Sheldon eel trap as the
one piece of gear allowed under the license fee. The per net fee
for a 3rd elver fyke net or Sheldon eel trap is \$100. The per
net fee for a 4th and 5th elver fyke net or Sheldon eel trap is
\$200. The amendment also reduces the fee for a dip net from \$75
to \$50, except that this fee does not apply to a first dip net
used if a person elects to use a dip net as the one piece of gear
allowed under the license fee.

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The amendment also adds a fiscal note to the bill.