

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
119TH LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 303, L.D. 905, Bill, "An Act Concerning the 1999 Elver Fishery"

Amend the amendment in section 2 in subsection 2 by striking out all of paragraphs A and B (page 1, lines 39 to 46 in amendment) and inserting in their place the following:

'A. During the 1996 elver fishing season held an eel fishing license under former section 6505 or an elver fishing license and paid fees for the use of elver fyke nets, Sheldon eel traps or dip nets in accordance with Public Law 1995, chapter 536, Part A, section 12 and during the 1997 and 1998 elver fishing seasons held an elver fishing license issued under this section; or

B. During the 1996 elver fishing season held an eel fishing license under former section 6505 or an elver fishing license and paid fees for the use of elver fyke nets, Sheldon eel traps or dip nets in accordance with Public Law 1995, chapter 536, Part A, section 12 or during the 1997 or 1998 elver fishing seasons held an elver fishing license issued under this section.'

Further amend the amendment in section 10 by striking out all of subsection 2-A (page 4, lines 2 to 25 in amendment) and inserting in its place the following:

'2-A. Number of nets and Sheldon eel traps. A person issued an elver fishing license pursuant to section 6505-A, subsection 2, paragraph A may not immerse at any one time a total of more than 2 elver fyke nets and Sheldon eel traps. Such a person also may immerse an elver dip net. In determining the

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2 number of traps or fyke nets that may be immersed, the following  
3 formula must be used. A person may not immerse:

4 A. A number of elver fyke nets that is greater than the  
5 average number, rounded down, of elver fyke nets that person  
6 was authorized to use during the past 3 elver fishing  
7 seasons for which that person held a license; and

8 B. A number of Sheldon eel traps that is greater than the  
9 average number, rounded down, of traps that person was  
10 authorized to use during the past 3 elver fishing seasons  
11 for which that person held a license.

12 However, if the number arrived at using the formula is greater  
13 than 2 nets or traps, the maximum number of traps and nets that  
14 may be immersed may not exceed 2.

15 A person issued an elver fishing license pursuant to section  
16 6505-A, subsection 2, paragraph B may immerse only an elver dip  
17 net.'

22 **FISCAL NOTE**

23 The fiscal impact of this amendment significantly changes  
24 the revenue effects of the bill as amended by the committee  
25 amendment.

26 This amendment eliminates the General Fund revenue loss and  
27 will result in General Fund revenue increases of \$42,187 annually  
28 beginning in fiscal year 1998-99. This amendment also reduces  
29 the loss of dedicated revenues collected by the Department of  
30 Marine Resources. As amended by this amendment, the loss of  
31 dedicated revenue will be \$75,955 annually beginning in fiscal  
32 year 1998-99.

36 **SUMMARY**

37 This amendment provides that a person who held an elver  
38 fishing license in the 1996, 1997 and 1998 elver fishing seasons  
39 may not use more than 2 elver fyke nets and Sheldon eel traps and  
40 that such a person also may use an elver dip net. A person may  
41 not use more than the average number of elver fyke nets and  
42 Sheldon eel traps that person used during the past 3 elver  
43 fishing seasons. The amendment also provides that a person who

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held an elver fishing license in the 1996, 1997 or 1998 elver  
fishing season may be issued an elver fishing license and may  
fish using only an elver dip net.

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