

MAINE STATE LEGISLATURE

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R. 918

L.D. 1996

DATE: 3-18-02

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MARINE RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1493, L.D. 1996, Bill, "An Act to Establish Educational Requirements for Granting Noncommercial Lobster Licenses"

Amend the bill by striking out all of sections 1 and 2 and inserting in their place the following:

Sec. 1. 12 MRSA §6421, sub-§5-B is enacted to read:

5-B. Noncommercial lobster and crab fishing license eligibility. Beginning with license year 2003, a noncommercial lobster and crab fishing license may be issued only to a person who has:

A. Successfully completed a lobster and crab fishing written examination, as provided in section 6423; or

B. Held a Class I, Class II or Class III lobster and crab fishing license and has landed lobster under that license.

Once a person successfully completes the examination, that person need not repeat the examination to renew the license.

Sec. 2. 12 MRSA §6423 is enacted to read:

§6423. Lobster and crab fishing education program

COMMITTEE AMENDMENT

R.013

The commissioner shall establish an education program in accordance with this section for training applicants for noncommercial lobster and crab fishing licenses.

1. Pamphlet. The department shall issue a pamphlet of all the laws and rules relating to a noncommercial lobster and crab fishing license to each applicant for a noncommercial lobster and crab fishing license who has not successfully completed a written examination pursuant to subsection 2 or met the requirements of section 6421, subsection 5-B, paragraph B.

2. Examination. A written examination is required for any person who applies for a noncommercial lobster and crab fishing license who has not successfully completed a written examination under this subsection or met the requirements of section 6421, subsection 5-B, paragraph B. The commissioner shall determine the form and content of the written examination. The written examination must be provided to an applicant with the pamphlet required under subsection 1. The applicant must return the completed written examination to the department and receive a passing grade on the written examination prior to receiving a noncommercial license.

3. Surcharge; credit to Lobster Management Fund. The commissioner shall set a surcharge, not to exceed \$15, sufficient to recover the costs incurred by the department in providing the program under this section. A person who successfully completes the program and pays the surcharge may not be charged the surcharge to renew the license. The commissioner may provide copies of the education materials developed under this section to an applicant for another lobster and crab fishing license upon receipt of the surcharge. Surcharges collected under this subsection must be credited to the Lobster Management Fund established in section 6431-C.'

Further amend the bill by inserting after section 4 the following:

'Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

MARINE RESOURCES, DEPARTMENT OF

Division of Administrative Services

Initiative: Allocates funds for the costs of certain educational materials.

Other Special Revenue Fund	2001-02	2002-03
All Other	\$0	\$28,950'

R.018

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

6 **FISCAL NOTE**

8 **2002-03**

10 **APPROPRIATIONS/ALLOCATIONS**

12 Other Funds \$28,950

14 **REVENUES**

16 Other Funds \$28,950

18 Establishing a surcharge for the lobster and crab fishing
education program will increase dedicated revenues collections.
20 The estimated increases of dedicated revenue to the Lobster
Management Fund within the Department of Marine Resources are
22 \$28,950, \$3,638 and \$3,638 in fiscal years 2002-03, 2003-04 and
2004-05, respectively. The department will need additional Other
24 Special Revenue allocations in amounts that are equivalent to the
revenue increases.'

28 **SUMMARY**

30 This amendment requires that, beginning in 2003, applicants
for noncommercial lobster and crab fishing licenses successfully
32 complete a written examination if the applicant has not either
previously passed the examination or previously held a commercial
34 lobster license. It also requires the Department of Marine
Resources to provide to each applicant a pamphlet of all the laws
36 and rules relating to a noncommercial lobster and crab fishing
license. Under this amendment, a surcharge will be collected
38 from persons taking the written examination sufficient to cover
the costs to the department of producing the pamphlet and
40 producing and grading the examinations. Surcharges collected
will be deposited in the Lobster Management Fund. It also adds a
42 fiscal note to the bill.