

MAINE STATE LEGISLATURE

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Date: 3-23-10

(Filing No. S-451)

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STATE OF MAINE
SENATE
124TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "B" to S.P. 516,
L.D. 1432, Bill, "An Act To Create a Saltwater Recreational Fishing Registry"

Amend the amendment in section 1 in §6032 in the 3rd and 4th lines (page 1, lines 18 and 19 in amendment) by striking out the following: "saltwater recreational fishing registry pursuant to section 6312, subsection 4" and inserting the following: 'striped bass endorsement and the commercial operator's license pursuant to section 6312, subsections 4 and 5'

Amend the amendment in section 2 in §6312 by striking out all of the first line (page 1, line 33 in amendment) and inserting the following: '§6312. Saltwater recreational fishing registry, endorsement and license'

Amend the amendment in section 2 in §6312 by striking out all of subsections 3 to 5 (page 2, lines 14 to 38 and page 3, lines 1 to 4 in amendment) and inserting the following:

3. Registration required. A person may not engage in saltwater recreational fishing or land or possess fish taken from salt water without registering pursuant to this section except the following persons are exempted from this prohibition:

A. A person under 16 years of age;

B. A passenger on board a vessel captained by an individual who possesses a current guide license issued under section 12853 for tidewater fishing or a customer on board a vessel licensed to carry passengers for hire for recreational fishing;

C. A person with a disability;

D. A disabled veteran;

E. An individual that possesses a valid New Hampshire saltwater recreational fishing license that meets the requirements of 50 Code of Federal Regulations, Sections 600.1415 and 600.1416 (2009) engaging in recreational saltwater fishing from the State's southern border to Cape Neddick;

F. An individual renting a smelt fishing camp from a commercial operator; and

G. A resident fishing on July 4th, Labor Day weekend or Memorial Day weekend.

1 Registration does not authorize a person registered on the registry to sell fish taken
2 pursuant to the registry.

3 **4. Striped bass registry endorsement.** A person may not engage in saltwater
4 recreational fishing for striped bass or land or possess striped bass taken from salt water
5 without a striped bass registry endorsement issued by the commissioner pursuant to
6 subsection 6. The fees for a striped bass endorsement are:

7 A. Five dollars for a resident;

8 B. Fifteen dollars for a nonresident; and

9 C. Ten dollars for a resident lifetime striped bass registry endorsement for an
10 applicant that is 70 years of age or older. A resident lifetime striped bass registry
11 endorsement is valid for one year and may be renewed free of charge.

12 Revenues collected pursuant to this subsection must be deposited in the Marine
13 Recreation Fishing Conservation and Management Fund established under section 6032.

14 **5. Commercial operator's license.** The captain of a vessel licensed to carry
15 passengers for hire for saltwater recreational fishing must possess a commercial
16 operator's license issued by the commissioner pursuant to subsection 6. An individual
17 operating a business that rents smelt fishing camps must possess a commercial operator's
18 license. The fee for a commercial operator's license is \$50. Revenues collected pursuant
19 to this subsection must be deposited in the Marine Recreation Fishing Conservation and
20 Management Fund established under section 6032.

21 **6. Agent fee.** A clerk or other agent appointed by the commissioner to register
22 people on the registry, issue a license or issue an endorsement under this section shall
23 charge a fee of \$2 for each person registered by that clerk or agent. The commissioner
24 shall charge a fee of \$1 for each registration or endorsement taken by a department
25 employee.'

26 Amend the amendment in section 2 in §6312 in subsection 6 in the first line (page 3,
27 line 5 in amendment) by inserting after the following: "register" the following: 'and issue
28 a striped bass endorsement to'

29 Amend the amendment in section 2 in §6312 in subsection 7 in the first line (page 3,
30 line 14 in amendment) by striking out the following: "subsection 3" and inserting the
31 following: 'this section'

32 Amend the amendment in section 2 in §6312 by renumbering the subsections to read
33 consecutively.

34 Amend the amendment by striking out all of sections 3 and 4.

35 Amend the amendment by relettering or renumbering any nonconsecutive Part letter
36 or section number to read consecutively.

37 **SUMMARY**

38 This amendment makes the following changes to Committee Amendment "B."

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "B" to S.P. 516, L.D. 1432

1 1. It eliminates the annual fees for registering on the saltwater recreational fishing
2 registry.

3 2. It creates a striped bass registry endorsement and a commercial operator's license
4 and requires that individuals fishing for striped bass obtain an endorsement and captains
5 of vessels licensed to carry passengers for hire for saltwater recreational fishing obtain a
6 commercial operator's license.

7 3. It sets striped bass registry endorsement fees for residents at \$5 and nonresidents
8 at \$15 and creates a \$10 resident lifetime striped bass registry endorsement for a person
9 70 years of age or older. It sets the fee for a commercial operator's license at \$50.

10 4. It directs that revenue raised from the striped bass registry endorsement and
11 commercial operator's license be deposited in the Marine Recreation Fishing
12 Conservation and Management Fund.

13 5. It provides that clerks or other agents appointed by the Commissioner of Marine
14 Resources to register people on the saltwater recreational fishing registry, to issue striped
15 bass endorsements or to issue commercial operator's licenses shall charge a fee of \$2 for
16 each person registered, endorsement issued or license provided. It also provides that the
17 commissioner shall charge a fee of \$1 for each registration taken, endorsement issued or
18 license provided by department employees.

19 6. It makes a violation of the registration, endorsement or license requirements a
20 civil violation for which a fine of not less than \$100 may be adjudged.

21 7. It removes the appropriations and allocations section and the January 1, 2011
22 effective date.

23 SPONSORED BY: 

24 (Senator DAMON)

25 COUNTY: Hancock

FISCAL NOTE REQUIRED
(See attached)



124th MAINE LEGISLATURE

LD 1432

LR 1889(16)

An Act To Create a Saltwater Recreational Fishing Registry

Fiscal Note for Senate Amendment "B" to Committee Amendment "B"

Sponsor: Sen. Damon of Hancock

Fiscal Note Required: Yes

Fiscal Note

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Revenue				
Other Special Revenue Funds	\$0	(\$36,470)	(\$155,963)	(\$266,350)

Correctional and Judicial Impact Statements

Establishes new civil violations.

The collection of additional fines may also increase General Fund revenue by minor amounts.

Fiscal Detail and Notes

This amendment removes the fee for the saltwater fishing registry except for individuals who require a striped bass endorsement. It also adds fees for commercial operators licenses. These changes result in reduced Other Special Revenue Funds revenue to the Department of Marine Resources of \$36,470 in fiscal year 2010-11. This reduction assumes that 80% of the individuals registering on the saltwater fishing registry would require the striped bass endorsement. It also assumes 133 commercial operators licenses.