

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 319

S.P. 99

In Senate, February 8, 2011

An Act To Amend the Saltwater Recreational Fishing Registry Regarding Unauthorized Landing or Possession of Striped Bass

(EMERGENCY)

Reference to the Committee on Marine Resources suggested and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator TRAHAN of Lincoln.

Cosponsored by Representative TILTON of Harrington and

Senators: President RAYE of Washington, RECTOR of Knox, SCHNEIDER of Penobscot,
SNOWE-MELLO of Androscoggin, Representatives: BICKFORD of Auburn, MacDONALD
of Boothbay, McKANE of Newcastle, PRESCOTT of Topsham.

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

Whereas, saltwater recreational fishing is an important activity for increasing tourism and attracting visitors to the State; and

Whereas, the saltwater recreational fishing registry laws need to be amended to allow for incidental taking of striped bass by anglers who do not have a striped bass endorsement; and

Whereas, both the fishing season and the tourism season commence early in the year and it is necessary to have the saltwater recreational fishing registry laws changed to strengthen tourism; 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 §6312, sub-§4, as enacted by PL 2009, c. 559, §2 and affected by §4, is amended to read:

4. Striped bass endorsement. A person required to register under subsection 3 may not engage in saltwater recreational fishing for striped bass or land or possess striped bass taken from salt water without a striped bass endorsement issued by the commissioner or a clerk or agent appointed by the commissioner pursuant to subsection 6. An incidental catch or bycatch of striped bass is not prima facie evidence of a violation of this subsection. A striped bass endorsement is valid for one year and the fees are:

- A. Five dollars for a resident;
- B. Fifteen dollars for a nonresident; and
- C. Ten dollars for a resident lifetime striped bass endorsement for an applicant who is 70 years of age or older. A resident lifetime striped bass endorsement is valid for one year and may be renewed free of charge.

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

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

Currently, a saltwater angler may not land or possess striped bass without a striped bass endorsement under the saltwater recreational fishing registry laws or a valid

1 freshwater fishing license. This bill provides that the incidental landing or possession of
2 striped bass is not prima facie evidence of a violation.