

# MAINE STATE LEGISLATURE

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8702  
ROFS

L.D. 1027

Date: 4/24/15

(Filing No. H-100)

MARINE RESOURCES

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
127TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 710, L.D. 1027, Bill, "An Act To Create an Elver Exporter's License"

Amend the bill by inserting after the title and before the enacting clause the following:

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

**Whereas,** exporters of elvers caught in the State are not currently required to hold a license to do so; and

**Whereas,** the lack of an elver exporter's license provides opportunity for the transport of elvers that may have been caught in violation of state law, and the high value of elvers provides an incentive to engage in this practice; and

**Whereas,** the requirement that elver exporters hold an elver exporter's license will improve the ability of the Department of Marine Resources to better enforce all elver fishing laws; and

**Whereas,** this legislation must take effect before the expiration of the 90-day period in order to take effect before the end of the elver fishing season; 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,'

Amend the bill in section 5 in subsection 11 in the last 2 lines (page 2, lines 2 and 3 in L.D.) by striking out the following: "shipping or transporting elvers" and inserting the following: 'shipping or transporting the elvers being transported'

Amend the bill in section 6 in §6865 in subsection 4 in the 2nd and 3rd lines (page 2, lines 13 and 14 in L.D.) by striking out the following: "elver dealer transaction card to record all sales and purchase transactions involving another person licensed in accordance with section 6864" and inserting the following: 'electronic recording device

**COMMITTEE AMENDMENT**

ROFS

COMMITTEE AMENDMENT "A" to H.P. 710, L.D. 1027

1 that records the information on an elver dealer transaction card issued by the department  
2 under section 6864, subsection 7-B to record all sales and purchase transactions'

3 Amend the bill by adding before the summary the following:

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

6 **SUMMARY**

7 This amendment eliminates the requirement that the Department of Marine Resources  
8 issue an elver dealer transaction card to the holder of an elver exporter's license and  
9 instead provides that the department must issue an electronic recording device that  
10 records the information on an elver dealer transaction card. It also adds an emergency  
11 preamble and clause to the bill.

12 **FISCAL NOTE REQUIRED**

13 **(See attached)**



# 127th MAINE LEGISLATURE

LD 1027

LR 508(02)

## An Act To Create an Elver Exporter's License

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-100)

Committee: Marine Resources

Fiscal Note Required: Yes

### Fiscal Note

Minor cost increase - General Fund  
 Minor revenue increase - General Fund

	FY 2014-15	FY 2015-16	FY 2016-17	Projections FY 2017-18	Projections FY 2018-19
<b>Revenue</b>					
Other Special Revenue Funds	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000

### Correctional and Judicial Impact Statements

Establishes new Class D crimes.

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

### Fiscal Detail and Notes

The bill establishes an elver exporter's license costing \$5,000 each and allows someone to buy elvers from certain license holders and transport them beyond the state limits. This will increase Other Special Revenue Funds revenue to the Eel and Elver Management Fund within the Department of Marine Resources by an estimated \$30,000 in fiscal year 2014-15 and in every subsequent fiscal year.