

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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.

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

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

- A. Five dollars for a resident;
- B. Fifteen dollars for a nonresident; and

C. Ten dollars for a resident lifetime striped bass registry endorsement for an applicant that is 70 years of age or older. A resident lifetime striped bass registry 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.

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

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

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

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

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

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

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

SUMMARY

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

1. It eliminates the annual fees for registering on the saltwater recreational fishing registry.
2. It creates a striped bass registry endorsement and a commercial operator's license and requires that individuals fishing for striped bass obtain an endorsement and captains of vessels licensed to carry passengers for hire for saltwater recreational fishing obtain a commercial operator's license.
3. It sets striped bass registry endorsement fees for residents at \$5 and nonresidents at \$15 and creates a \$10 resident lifetime striped bass registry endorsement for a person 70 years of age or older. It sets the fee for a commercial operator's license at \$50.

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

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

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

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