

IMPORTANT:

*Following is a **DRAFT** of the legislative bill. Once it goes to the State House, individual words may be changed to suit legal text, but most of this will be presented “as is”.*

ALSO ~

*Sections of particular interest to anglers are **ENLARGED** and in **BOLD TEXT** so it stands out for ease of reading*

2009

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2009

It is enacted by the General Assembly as follows:

SECTION 1. Title 20 of the General Laws entitled “Fish and Wildlife” is hereby amended by adding thereto the following chapter:

Chapter 2.2

RECREATIONAL SALTWATER FISHING LICENSE

20-2.2-1. Findings. – The General Assembly finds and declares:

(a) The constitution of the state places plenary authority and responsibility in the general assembly to provide for the conservation of the natural resources of the state, including its marine fisheries;

(b) The state of Rhode Island has historically established programs to provide for and regulate the harvesting and taking of marine fish for recreational purposes;

(c) The federal government and regional entities have established and continue to establish regulatory programs, management measures, quotas, and other restrictions that affect persons engaged in marine recreational fisheries in Rhode Island, and Rhode Island functions in whole or in part in the context of federal and regional programs depending on the fishery;

(d) The regulatory programs, management measures, quotas, and other restrictions governing marine recreational fisheries are based primarily on fishing assessments, which measure catch and effort by recreational fishermen, and on resource assessments, which gauge the biological status of fish stocks;

(e) Since 1979, recreational fishing assessments have been derived from the Marine Recreational Fisheries Statistics Survey (MRFSS), administered by the federal government in partnership with the states;

(f) In 2006, Congress acknowledged major flaws in the accuracy of the assessments provided by MRFSS, and called upon the National Marine Fisheries Service (NMFS) to undertaken programmatic reforms, including the establishment of a universal registry of all saltwater anglers to provide a more accurate means for assessing recreational catch and effort data;

(g) In 2008, NMFS initiated a new Marine Recreational Information Program to replace MRFSS, and enacted rules requiring marine recreational fishermen to either register under a new national program, or be registered or licensed by a state program that meets federal requirements;

(h) All coastal states have enacted, or are in the process of enacting, marine recreational fishing license or registry programs;

(i) The interests of recreational saltwater anglers in Rhode Island can best be met by establishing a state program that

meets federal requirements, contributes to improved state-based recreational fishing assessments and stock assessments, and supports fair and effective regulatory programs and quotas governing Rhode Island’s marine recreational fisheries;

(j) Additionally, the interests of recreational saltwater anglers in Rhode Island are well served by a program that supports improved and expanded opportunities for the public to access the marine waters of the state; and

(k) **The use of license fee revenues for any purpose other than managing recreational fisheries and enhancing recreational fishing opportunities would violate the terms of § 20-9-3 and trigger a discontinuation of all federal funding provided to Rhode Island pursuant to the Federal Aid in Sport Fish Restoration Act;** conflict with legislative intent, as set forth in § 20-3.2-7(3); veer from the restricted use requirements governing freshwater fishing, commercial fishing, and hunting license fee revenues; affect compliance with the requirements of this chapter; and compromise the purposes of this chapter.

20-2.2-2. Purposes. – The purposes of this chapter are to:

(a) Enable recreational fishermen to fish legally in the marine waters of Rhode Island, and in all offshore federal waters, via a state-based recreational fishing licensing program, established in accordance with the requirements set forth by the federal Magnuson-Stevens Fishery Conservation and Management Act;

(b) Establish a state-based licensing program that will: provide Rhode Island recreational fishermen, including residents and non-resident visitors, with a convenient and inexpensive licensing process; support and contribute to more accurate state-based fishing and resource assessments; and provide for fair and effective management programs that optimize benefits and opportunities for Rhode Island recreational fishermen; and

(c) Establish a dedicated funding vehicle to support improved coastal access opportunities for recreational fishermen along the Rhode Island shoreline.

20-2.2-3. Definitions. – As used in this chapter, the following terms shall have the following meanings:

(a) “Angling” means to fish recreationally using hook and line.

(b) “Exempted state” means a state that has been designated as an exempted state by the National Marine Fisheries Service, pursuant to the National Saltwater Angler Registry Program, 50 CFR Part 600. **(to page 49)**