

Sen. Pearl, Dist 17  
May 2, 2024  
2024-1740s  
09/08

Amendment to HB 1394-FN-A

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to licensure and regulation of music therapists and relative to nonresident  
4 special tuna licenses.

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6 Amend the bill by inserting after section 5 the following and renumbering the original section 6 to  
7 read as 7:

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9 6 New Section; Fish, Shellfish, Lobsters, and Crabs; Salt Water Fish, Clams; Nonresident  
10 Special Tuna License. Amend RSA 211 by inserting after section 49-e the following new section:

11 211:49-f Nonresident Special Tuna License.

12 I. Any person who does not qualify as a resident under RSA 207:1, who takes, possesses,  
13 lands, or transports, as part of a tuna tournament, from or on the waters of this state, regardless of  
14 where the catch was taken, any tuna species, by any method for the purpose of selling the same,  
15 shall first procure a valid license from the executive director to do so. A special tuna license shall be  
16 issued to a nonresident operator of the vessel who is a registered participant in a tuna tournament  
17 that is sponsored and operated by a nonprofit association that has existed for at least one year prior  
18 to the tournament. An individual shall not be issued more than one license, per one eligible tuna  
19 tournament, in any one calendar year. This license shall only be valid for 10 days from the starting  
20 day of the eligible tuna tournament. No other marine species may be taken, possessed, landed, or  
21 transported, for the purpose of sale under this license.

22 II. The fee for an annual license shall be set by the executive director pursuant to RSA  
23 206:10, I. The executive director shall establish a surcharge on each license issued under this  
24 section of \$15 to be deposited in the derelict fishing gear and coastal cleanup fund established in  
25 RSA 211:77, and shall adopt rules for implementing and collecting the surcharge. Any person who  
26 satisfactorily demonstrates to the executive director that he or she is participating in a coastal  
27 cleanup program shall not be required to pay the surcharge. The executive director shall adopt rules  
28 pursuant to RSA 541-A to determine satisfactory participation in a coastal cleanup program and to  
29 account for licensees who are exempt from the surcharge each year.

30 III. Licensees shall be responsible for conducting their fishing activities in compliance with  
31 rules adopted by the executive director under RSA 541-A.

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1           IV. Any person so licensed shall furnish to the executive director such information  
2 concerning marine species and fishing activities as the executive director may require by rules  
3 adopted under RSA 541-A.

4           V. Any person convicted of violating any provision of this section shall be guilty of a violation  
5 if a natural person or guilty of a misdemeanor if any other person. In addition, the defendant's catch  
6 shall be confiscated and sold according to rules adopted by the executive director pursuant to RSA  
7 541-A, and the proceeds of such sale shall become the property of the New Hampshire fish and game  
8 department.

9           VI. The executive director may adopt rules under RSA 541-A governing the operation of  
10 tuna tournaments.

UNAPPROVED

2024-1740s

AMENDED ANALYSIS

This bill:

I. Establishes the licensure and regulation of music therapists under the office of professional licensure and certification. This bill further directs the office of professional licensure and certification, for the biennium ending June 30, 2027, to increase their annual budget by \$3,000 for the purpose of hiring temporary or part-time staff, or overtime costs, to help with licensing and administration of the music therapists governing board.

II. Establishes nonresident special tuna licenses, provides rules governing the administration of the licenses and the conduct of the licensees, and provides for a penalty for violations of the section.

UNAPPROVED