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1 AMENDMENT TO SENATE BILL 3065

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3065 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Fish and Aquatic Life Code is amended by  
5 changing Sections 20-45 and 20-55 and by adding Sections 1-51  
6 and 10-145 as follows:

7 (515 ILCS 5/1-51 new)

8 Sec. 1-51. Fishing guides. "Fishing guide" means any person  
9 who guides, directs, or assists any other person in any fishing  
10 activity for compensation or reward.

11 (515 ILCS 5/10-145 new)

12 Sec. 10-145. Fishing guides; license; application. It  
13 shall be unlawful for any person to act as a fishing guide  
14 without having first obtained a license to do so from the  
15 Department.

16 No fishing guide license shall be issued until application  
17 has been made to the Department. Applications shall be executed  
18 and sworn to, shall set forth the name and description of the  
19 applicant and the applicant's place of residence, and shall be  
20 accompanied by the required fee. All applicants for a fishing  
21 guide license must (i) be trained to the EMS first responder  
22 level and obtain CPR recertification annually, and (ii) be in  
23 good standing with both the Illinois Department of Public Aid

1 and the Illinois Student Assistance Commission. All applicants  
2 must agree to follow Department rules at all times and to  
3 always be a good role model for conservation practices. Any  
4 watercraft that an applicant chooses to employ in his or her  
5 practice of fishing guide must meet all Coast Guard  
6 requirements at all times and a cell phone or a marine radio  
7 must be present on the watercraft at all times. The Department  
8 shall determine the type and amount of proof that must  
9 accompany an application in order to prove compliance with all  
10 application requirements.

11 (515 ILCS 5/20-45) (from Ch. 56, par. 20-45)

12 Sec. 20-45. License fees for residents. Fees for licenses  
13 for residents of the State of Illinois shall be as follows:

14 (a) Except as otherwise provided in this Section, for  
15 sport fishing devices as defined in Section 10-95 or  
16 spearing devices as defined in Section 10-110 the fee is  
17 \$12.50 for individuals 16 to 64 years old, and one-half of  
18 the current fishing license fee for individuals age 65 or  
19 older, commencing with the 1994 license year.

20 (b) All residents before using any commercial fishing  
21 device shall obtain a commercial fishing license, the fee  
22 for which shall be \$35. Each and every commercial device  
23 used shall be licensed by a resident commercial fisherman  
24 as follows:

25 (1) For each 100 lineal yards, or fraction thereof,  
26 of seine the fee is \$18. For each minnow seine, minnow  
27 trap, or net for commercial purposes the fee is \$20.

28 (2) For each device to fish with a 100 hook trot  
29 line device, basket trap, hoop net, or dip net the fee  
30 is \$3.

31 (3) When used in the waters of Lake Michigan, for  
32 the first 2000 lineal feet, or fraction thereof, of  
33 gill net the fee is \$10; and for each 1000 additional

1           lineal feet, or fraction thereof, the fee is \$10. These  
2           fees shall apply to all gill nets in use in the water  
3           or on drying reels on the shore.

4           (4) For each 100 lineal yards, or fraction thereof,  
5           of gill net or trammel net the fee is \$18.

6           (c) Residents of the State of Illinois may obtain a  
7           sportsmen's combination license that shall entitle the  
8           holder to the same non-commercial fishing privileges as  
9           residents holding a license as described in subsection (a)  
10          of this Section and to the same hunting privileges as  
11          residents holding a license to hunt all species as  
12          described in Section 3.1 of the Wildlife Code. No  
13          sportsmen's combination license shall be issued to any  
14          individual who would be ineligible for either the fishing  
15          or hunting license separately. The sportsmen's combination  
16          license fee shall be \$18.50. For residents age 65 or older,  
17          the fee is one-half of the fee charged for a sportsmen's  
18          combination license.

19          (d) For 24 hours of fishing by sport fishing devices as  
20          defined in Section 10-95 or by spearing devices as defined  
21          in Section 10-110 the fee is \$5. This license exempts the  
22          licensee from the requirement for a salmon or inland trout  
23          stamp. The licenses provided for by this subsection are not  
24          required for residents of the State of Illinois who have  
25          obtained the license provided for in subsection (a) of this  
26          Section.

27          (e) All residents before using any commercial mussel  
28          device shall obtain a commercial mussel license, the fee  
29          for which shall be \$50.

30          (f) Residents of this State, upon establishing  
31          residency as required by the Department, may obtain a  
32          lifetime hunting or fishing license or lifetime  
33          sportsmen's combination license which shall entitle the  
34          holder to the same non-commercial fishing privileges as

1 residents holding a license as described in paragraph (a)  
2 of this Section and to the same hunting privileges as  
3 residents holding a license to hunt all species as  
4 described in Section 3.1 of the Wildlife Code. No lifetime  
5 sportsmen's combination license shall be issued to or  
6 retained by any individual who would be ineligible for  
7 either the fishing or hunting license separately, either  
8 upon issuance, or in any year a violation would subject an  
9 individual to have either or both fishing or hunting  
10 privileges rescinded. The lifetime hunting and fishing  
11 license fees shall be as follows:

12 (1) Lifetime fishing: 30 x the current fishing  
13 license fee.

14 (2) Lifetime hunting: 30 x the current hunting  
15 license fee.

16 (3) Lifetime sportsmen's combination license: 30 x  
17 the current sportsmen's combination license fee.

18 Lifetime licenses shall not be refundable. A \$10 fee shall  
19 be charged for reissuing any lifetime license. The Department  
20 may establish rules and regulations for the issuance and use of  
21 lifetime licenses and may suspend or revoke any lifetime  
22 license issued under this Section for violations of those rules  
23 or regulations or other provisions under this Code or the  
24 Wildlife Code. Individuals under 16 years of age who possess a  
25 lifetime hunting or sportsmen's combination license shall have  
26 in their possession, while in the field, a certificate of  
27 competency as required under Section 3.2 of the Wildlife Code.  
28 Any lifetime license issued under this Section shall not exempt  
29 individuals from obtaining additional stamps or permits  
30 required under the provisions of this Code or the Wildlife  
31 Code. Individuals required to purchase additional stamps shall  
32 sign the stamps and have them in their possession while fishing  
33 or hunting with a lifetime license. All fees received from the  
34 issuance of lifetime licenses shall be deposited in the Fish

1 and Wildlife Endowment Fund.

2 (g) All residents before acting as fishing guides shall  
3 obtain a fishing guide license, the fee for which shall be \$50.

4 Except for licenses issued under subsection (e) of this  
5 Section, all licenses provided for in this Section shall expire  
6 on March 31 of each year, except that the license provided for  
7 in subsection (d) of this Section shall expire 24 hours after  
8 the effective date and time listed on the face of the license.

9 All individuals required to have and failing to have the  
10 license provided for in subsection (a) ~~, or~~ (d) , or (g) of this  
11 Section shall be fined according to the provisions of Section  
12 20-35 of this Code.

13 All individuals required to have and failing to have the  
14 licenses provided for in subsections (b) and (e) of this  
15 Section shall be guilty of a Class B misdemeanor.

16 (Source: P.A. 89-66, eff. 1-1-96; 90-225, eff. 7-25-97; 90-743,  
17 eff. 1-1-99.)

18 (515 ILCS 5/20-55) (from Ch. 56, par. 20-55)

19 Sec. 20-55. License fees for non-residents. Fees for  
20 licenses for non-residents of the State of Illinois are as  
21 follows:

22 (a) For sport fishing devices as defined by Section 10-95,  
23 or spearing devices as defined in Section 10-110, non-residents  
24 age 16 or older shall be charged \$24 for a fishing license to  
25 fish. For sport fishing devices as defined by Section 10-95, or  
26 spearing devices as defined in Section 10-110, for a period not  
27 to exceed 10 consecutive days fishing in the State of Illinois  
28 the fee is \$12.50.

29 For sport fishing devices as defined in Section 10-95, or  
30 spearing devices as defined in Section 10-110, for 24 hours of  
31 fishing the fee is \$5. This license exempts the licensee from  
32 the salmon or inland trout stamp requirement.

33 (b) All non-residents before using any commercial fishing

1 device shall obtain a non-resident commercial fishing license,  
2 the fee for which shall be \$150. Each and every commercial  
3 device shall be licensed by a non-resident commercial fisherman  
4 as follows:

5 (1) For each 100 lineal yards, or fraction thereof, of  
6 seine (excluding minnow seines) the fee is \$36.

7 (2) For each device to fish with a 100 hook trot line  
8 device, basket trap, hoop net, or dip net the fee is \$6.

9 (3) For each 100 lineal yards, or fraction thereof, of  
10 trammel net the fee is \$36.

11 (4) For each 100 lineal yards, or fraction thereof, of  
12 gill net the fee is \$36.

13 (c) All non-residents before acting as fishing guides shall  
14 obtain a fishing guide license, the fee for which shall be  
15 \$100.

16 All persons required to have and failing to have the  
17 license provided for in subsection (a) or (c) of this Section  
18 shall be fined under Section 20-35 of this Code. Each person  
19 required to have and failing to have the licenses required  
20 under subsection (b) of this Section shall be guilty of a Class  
21 B misdemeanor.

22 All licenses provided for in this Section shall expire on  
23 March 31 of each year; except that the 24-hour license for  
24 sport fishing devices or spearing devices shall expire 24 hours  
25 after the effective date and time listed on the face of the  
26 license and licenses for sport fishing devices or spearing  
27 devices for a period not to exceed 10 consecutive days fishing  
28 in the State of Illinois as provided in subsection (a) of this  
29 Section shall expire at midnight on the tenth day after issued,  
30 not counting the day issued.

31 (Source: P.A. 89-66, eff. 1-1-96; 90-225, eff. 7-25-97; 90-743,  
32 eff. 1-1-99.)".