

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 29 (Delegate S. Howard)
Environment and Transportation

Tidal Fish License - Catching Crabs Using Trotline Gear - Holidays

This bill authorizes the Department of Natural Resources (DNR), if it allows the workday for catching crabs with trotline gear to begin earlier than 1 hour before sunrise, to adopt regulations to restrict a tidal fish licensee who catches crabs using trotline gear to a workday of at least 10 hours per day, excluding time spent setting or taking up gear, on Memorial Day, Independence Day, and Labor Day, and the weekend either before or after each of those holidays.

Fiscal Summary

State Effect: The bill can be implemented by DNR with existing resources.

Local Effect: None.

Small Business Effect: Minimal, as discussed below.

Analysis

Current Law: DNR regulations establish time periods when an individual licensed to catch crabs for sale may remove crabs from commercial gear in the Chesapeake Bay and its tidal tributaries, by gear type. For trotlines, the time periods are (1) between 1 hour before sunrise to 9 hours after sunrise during the period from May through September and (2) between sunrise and 10 hours after sunrise during April, October, November, and December.

Chapter 718 of 2012 authorized DNR to adopt regulations to allow the workday for tidal fish licensees who catch crabs using trotline gear to begin earlier than 1 hour before sunrise.

If DNR authorizes the workday to begin earlier than 1 hour before sunrise, however, Chapter 718 prohibits the department from restricting a licensee using trotline gear to a workday of less than 11 hours per day, including time spent setting or taking up gear, and trotline gear may not be set earlier than the catch time established by DNR.

Small Business Effect: The earlier workday for those using trotline gear, on specified holiday weekends, may provide a small economic benefit for licensees that can make use of it, by being able to get to market sooner, while licensees that cannot take advantage of the earlier workday may be disadvantaged.

Additional Information

Prior Introductions: HB 1595 of 2016 was referred to the House Rules and Executive Nominations Committee, but no further action was taken. SB 837 of 2016 passed the Senate, passed with amendments in the House, and had a conference committee appointed, but no further action was taken. Its cross file, HB 915, passed with amendments in the House and Senate and had a conference committee appointed, but no further action was taken.

Cross File: None.

Information Source(s): Department of Natural Resources; Maryland Watermen's Association; Department of Legislative Services

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mm/lgc

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