

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 725

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Dyson" and substitute "Senators Dyson and Stoltzfus".

AMENDMENT NO. 2

On page 1, in line 8, after "apprentice;" insert "requiring an apprentice to keep certain records; providing that certain experience requirements may be waived by the Department if the apprentice provides certain evidence of prior experience; requiring the Department to establish an advisory board to make certain recommendations; prohibiting a person from providing certain false information; authorizing the Department to take certain actions against an applicant for an apprentice license or a licensee who provides certain false information; providing that apprentices are subject to the same federal requirements for certain drug testing as other licensees;".

AMENDMENT NO. 3

On page 1, in line 26, strike "12" and substitute "15".

On page 2, in line 4, after "(E)" insert:

"(1) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,";

in lines 5 and 8, strike "(1)" and "(2)", respectively, and substitute "(I)" and "(II)", respectively; in line 5, strike "180" and substitute "75"; in line 9, strike "2" and substitute "3"; after line 10, insert:

"(2) (I) THE PRACTICAL EXPERIENCE OF AN APPRENTICE SHALL BE DOCUMENTED IN A LOG MAINTAINED BY THE APPRENTICE.

(II) THE LOG SHALL BE SIGNED AND DATED ON A DAILY BASIS

(Over)

BY THE CAPTAIN OF THE VESSEL FOR WHICH THE APPRENTICE WORKS AND VALIDATED MONTHLY BY THE LOCAL NATURAL RESOURCES POLICE OFFICER.

(3) (I) UP TO 2 YEARS OF THE PRACTICAL EXPERIENCE REQUIRED OF AN APPRENTICE MAY BE WAIVED BY THE DEPARTMENT IF THE APPRENTICE PROVIDES EVIDENCE, TO THE SATISFACTION OF THE DEPARTMENT, THAT, FOR EACH YEAR WAIVED, THE APPLICANT HAS OBTAINED 3 YEARS OF RELATED EXPERIENCE SINCE DECEMBER 31, 1980.

(II) EVIDENCE OF RELATED EXPERIENCE SHALL INCLUDE NOTARIZED STATEMENTS BY AT LEAST THREE INDIVIDUALS LICENSED UNDER THIS TITLE SUBSTANTIATING THAT THE APPLICANT HAS OBTAINED THE CLAIMED EXPERIENCE.

(III) THE DEPARTMENT SHALL ESTABLISH AN ADVISORY BOARD TO REVIEW EVIDENCE AND MAKE RECOMMENDATIONS TO THE DEPARTMENT ON THE SUFFICIENCY OF EVIDENCE OF PRIOR EXPERIENCE SUBMITTED BY AN APPRENTICE.

(4) (I) A PERSON MAY NOT KNOWINGLY CREATE, CERTIFY, FILE, OR PROVIDE FALSE EVIDENCE OF REQUIRED APPRENTICE EXPERIENCE TO THE DEPARTMENT.

(II) 1. IN ADDITION TO ANY OTHER PENALTY PROVIDED IN THIS TITLE, THE DEPARTMENT MAY REVOKE A LICENSE ISSUED UNDER THIS TITLE IF THE LICENSEE HAS KNOWINGLY CREATED, CERTIFIED, FILED, OR PROVIDED FALSE EVIDENCE OF REQUIRED APPRENTICE EXPERIENCE TO THE DEPARTMENT.

2. BEFORE THE REVOCATION OF A LICENSE, THE DEPARTMENT SHALL HOLD A HEARING AS PROVIDED UNDER § 4-701(F)(5) OF THIS SUBTITLE.

(III) IN ADDITION TO ANY OTHER PENALTY PROVIDED IN THIS TITLE, IF AN APPLICANT FOR AN APPRENTICE LICENSE KNOWINGLY PROVIDES FALSE INFORMATION ON THE APPLICATION, THE APPLICATION SHALL BE DENIED AND THE APPLICANT SHALL BE PROHIBITED FROM APPLYING FOR ANOTHER APPRENTICE LICENSE FOR 5 YEARS.

(5) AN APPRENTICE WHO IS A COMMERCIAL FISHING GUIDE SHALL BE SUBJECT TO THE SAME FEDERAL REQUIREMENTS FOR RANDOM DRUG TESTING AS OTHER LICENSED COMMERCIAL FISHING GUIDES UNDER THIS TITLE.”;

and strike beginning with “(1)” in line 16 down through “(H)” in line 24.