

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1260
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, before "Noncommercial" insert "Apprenticeship -"; in line 26, after "tributaries;" insert "establishing certain limits for crabbing in the waters of the coastal bays of the Atlantic Ocean;".

On page 2, in line 16, strike "and 4-805" and substitute "4-805, and 4-806".

On page 2 in line 26, and on page 16 in line 15, in each instance, strike "3 and".

AMENDMENT NO. 2

On page 3, in line 12, strike "or"; in line 14, after "fishing" insert "; OR

3. OWNS OR OPERATES A MARINA FROM WHICH 10 OR MORE VESSELS OPERATE TO CARRY PASSENGERS FOR FISHING";

in line 22, strike "employ" and substitute ";

(I) EMPLOY";

in line 23, after the second "guide" insert "; AND

(II) ALLOW A PERSON WHO HOLDS A VALID COAST GUARD LICENSE TO OPERATE A VESSEL TO CARRY PASSENGERS FOR FISHING FROM THE MARINA OWNED OR OPERATED BY THE MASTER GUIDE LICENSE HOLDER AUTHORIZED UNDER PARAGRAPH (1)(II)3 OF THIS SUBSECTION AS FOLLOWS:

(Over)

1. ONE PERSON FOR 10 VESSELS;
2. TWO PERSONS FOR 11 TO 20 VESSELS;
3. THREE PERSONS FOR 21 TO 30 VESSELS;
4. FOUR PERSONS FOR 31 TO 40 VESSELS;
5. FIVE PERSONS FOR 41 TO 50 VESSELS; AND
6. SIX PERSONS FOR 51 OR MORE VESSELS”;

and in line 25, after “owned” insert “OR OPERATED”.

AMENDMENT NO. 3

On page 4, in line 11, strike “The” and substitute “EXCEPT FOR A PERSON RECEIVING A LICENSE UNDER SUBSECTION (I)(2)(II) OF THIS SECTION, THE”.

AMENDMENT NO. 4

On page 10, in line 1, after “1.” insert “A. PURCHASED A VESSEL USED FOR COMMERCIAL FISHING FROM THE LICENSE HOLDER; OR

B.”;

in the same line, after “EQUIPMENT” insert “AND ASSETS WITH A MINIMUM VALUE OF \$2,000”; in line 4, strike “AND”; and in line 5, after “AUTHORIZATION” insert “; AND

4. PROVIDED A NOTARIZED BILL OF SALE”.

AMENDMENT NO. 5

On page 12, in line 23, after “(B)” insert “EXCEPT AS PROVIDED UNDER SUBSECTION (H) OF THIS SECTION,”; in line 25, strike “ANOTHER” and substitute “A”; in line 27, strike “UP TO 3 YEARS” and substitute “1 YEAR IF THE APPLICANT SHOWS GOOD CAUSE”; and in line 30, after “APPRENTICESHIP” insert “AND THE FIRST LICENSE YEAR”.

On page 13, in line 13, after “(G)” insert “OR (H)”; in line 29, strike “A” and substitute “SEPARATE”; and in line 30, strike “ACTIVITY” and substitute “ACTIVITIES”.

AMENDMENT NO. 6

On page 14, in line 1, strike “AND”; and in line 4, after “CORRECT” insert “; AND”

(IV) COPIES OF APPROPRIATE INCOME TAX FORMS DOCUMENTING THE PERMITTEE’S COMPENSATED EMPLOYMENT IN THE PRESENCE OF A TIDAL FISH LICENSEE”;

in line 6, strike “ATTEND A” and substitute “COMPLETE AN 8-HOUR”; and after line 7, insert:

“(4) (I) AN APPLICANT FOR AN APPRENTICESHIP PERMIT MAY BEGIN TO COMPLETE THE REQUIREMENTS OF PARAGRAPHS (1), (2), AND (3) OF THIS SUBSECTION, IF THE APPLICANT POSTS THE FEE FOR THE APPRENTICESHIP PERMIT.

(II) THIS PARAGRAPH DOES NOT ALTER AN APPLICANT’S POSITION ON A WAITING LIST.”.

AMENDMENT NO. 7

On page 14, strike in their entirety lines 8 through 13, inclusive, and substitute:

“(H) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS TO ESTABLISH CRITERIA FOR PRACTICAL EXPERIENCE FOR AN INDIVIDUAL WHO HOLDS A VALID TIDAL FISH LICENSE AND WHO HAS APPLIED FOR AN ADDITIONAL AUTHORIZATION OTHER THAN A FISHING GUIDE AUTHORIZATION OR AN UNLIMITED TIDAL FISH AUTHORIZATION.

(2) THE CRITERIA ESTABLISHED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

(I) DOCUMENTATION AT THE TIME OF APPLICATION FOR AN APPRENTICESHIP PERMIT THAT FOR THE PREVIOUS 2 YEARS, AT LEAST 20% OF THE INDIVIDUAL’S GROSS INCOME WAS FROM THE INDIVIDUAL’S COMMERCIAL FISHING ACTIVITIES; AND

(Over)

(II) BEFORE A LICENSE CAN BE ISSUED, DOCUMENTATION OF A DETERMINED LEVEL OF PARTICIPATION IN THE CURRENTLY AUTHORIZED FISHERY FOR AT LEAST 2 YEARS WHILE POSSESSING AN APPRENTICESHIP PERMIT.”;

and strike in their entirety lines 22 through 24, inclusive, and substitute:

“(1) USES MORE THAN 600 FEET BUT NOT MORE THAN 1,200 FEET OF TROTLINE;

(2) USES MORE THAN 10 BUT NOT MORE THAN 30 COLLAPSIBLE TRAPS OR NET RINGS; OR

(3) USES NO MORE THAN 10 EEL POTS FOR CATCHING THE INDIVIDUAL’S OWN BAIT.”.

On page 15, in line 8, strike the second “OR”; in line 10, after “PROPERTY” insert “;

(3) AN INDIVIDUAL WHO USES 600 FEET OR LESS OF TROTLINE;

(4) AN INDIVIDUAL WHO USES 10 OR FEWER COLLAPSIBLE TRAPS OR NET RINGS;

(5) MULTIPLE INDIVIDUALS ON A BOAT WHO USE 600 FEET OR LESS OF TROTLINE; OR

(6) MULTIPLE INDIVIDUALS ON A BOAT WHO USE FEWER THAN 25 COLLAPSIBLE TRAPS OR NET RINGS”;

in line 11, after “LIMITS” insert “FOR HARD CRABS”; and strike in their entirety lines 12 through 24, inclusive, and substitute:

“(I) 1 BUSHEL FOR AN INDIVIDUAL EXEMPT UNDER SUBSECTION (D) OF THIS SECTION;

(II) 2 BUSHEL PER BOAT IF TWO OR MORE INDIVIDUALS EXEMPT UNDER SUBSECTION (D) OF THIS SECTION ARE ON THE BOAT;

(III) 2 BUSHEL FOR A HOLDER OF A NONCOMMERCIAL CRABBING LICENSE; OR

(IV) 3 BUSHEL PER BOAT IF TWO OR MORE INDIVIDUALS WHO HOLD A NONCOMMERCIAL CRABBING LICENSE ARE ON THE BOAT.

(2) THE DAILY CATCH LIMITS FOR PEELER CRABS AND SOFT SHELL CRABS UNDER THIS SECTION ARE:

(I) 3 DOZEN FOR A HOLDER OF A NONCOMMERCIAL CRABBING LICENSE; OR

(II) 1 DOZEN FOR AN INDIVIDUAL EXEMPT UNDER SUBSECTION (D) OF THIS SECTION.”.

AMENDMENT NO. 8

On page 16, after line 14, insert:

“4-806.

(A) EXCEPT AS PROVIDED IN SUBTITLE 7 OF THIS TITLE, AN INDIVIDUAL WHO ATTEMPTS TO CATCH OR CATCHES CRABS IN THE WATERS OF THE COASTAL BAYS OF THE ATLANTIC OCEAN AND THEIR TRIBUTARIES MAY NOT:

(1) CATCH OR POSSESS MORE THAN 1 BUSHEL PER DAY;

(2) USE MORE THAN 600 FEET OF TROTLINE;

(3) USE MORE THAN 10 COLLAPSIBLE CRAB TRAPS OR NET RINGS;

(Over)

(4) USE MORE THAN 2 CRAB POTS FROM THE SHORE ADJACENT TO PRIVATE PROPERTY.

(B) AN INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION MAY USE DIP NETS AND AN UNLIMITED NUMBER OF HANDLINES TO CATCH CRABS.”.

AMENDMENT NO. 9

On page 16, in lines 19 and 20, in each instance, strike “December 1, 1997” and substitute “December 31, 1997”; in line 27, after “license” insert “at the time of renewal for the license year beginning September 1, 1998 and”; in line 31, after “license” insert “, except a fishing guide or unlimited tidal fish license,”; and in line 33, strike “by March 31, 1999”.

On page 17, in line 18, after “piers.” insert “The report shall also include a survey of noncommercial crabbing licensees, including the number of individuals who were issued noncommercial crabbing licenses during the time period covered by the report and the amount of license fees collected by the Department.”; in line 29, strike “October 1, 1998” and substitute “January 1, 1999”; and in line 30, strike “and 3 months”.