

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1021

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 3 down through the period in line 9 and substitute “authorizing the Department of Natural Resources to adopt regulations to restrict the days that a commercial license holder may catch crabs and take into account certain considerations under certain circumstances; requiring the Department to adopt certain regulations to require certain individuals to make a certain declaration and provide certain information in a certain manner; establishing the duration of a declared day off except under certain circumstances; authorizing the Department to allow a licensee to change a declared day off under certain circumstances; prohibiting a licensed individual from certain activities on certain days except under certain circumstances; authorizing the Department to adopt certain regulations; requiring a licensed individual to affix certain letters to the individual’s vessel for a certain purpose and in a certain manner; providing for the termination of this Act; and generally relating to restrictions on crab harvesting in the State.”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 15 through 20, inclusive, and substitute:

“(B) (1) THE DEPARTMENT MAY ADOPT REGULATIONS WHICH RESTRICT A HOLDER OF A COMMERCIAL LICENSE FROM CATCHING CRABS ON CERTAIN DAYS OF THE WEEK.

(2) REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL BE IN ACCORDANCE WITH § 4-804 OF THIS SUBTITLE AND, TO THE EXTENT POSSIBLE, BE BASED ON THE CONSIDERATIONS SET FORTH IN § 4-215(C) OF THIS TITLE.”.

On page 3, strike in their entirety lines 1 through 6, inclusive, and substitute:

“(1) AT THE TIME OF LICENSE RENEWAL, ON FORMS PROVIDED BY

(Over)

THE DEPARTMENT:

(I) DECLARE A SUNDAY OR MONDAY AS A DAY OFF FOR THE LICENSE YEAR; AND

(II) PROVIDE THE LICENSEE'S VESSEL IDENTIFICATION NUMBER; AND

(2) PRINT IN INK ON THE INDIVIDUAL'S LICENSE THE LICENSEE'S VESSEL IDENTIFICATION NUMBER AND THE DECLARED DAY OFF FOR THE LICENSE YEAR.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE SUNDAY OR MONDAY THAT IS DECLARED AS A DAY OFF UNDER THIS SECTION SHALL REMAIN VALID FOR THE SEASON AND MAY BE CHANGED ANNUALLY AT THE TIME OF LICENSE RENEWAL.

(2) THE DEPARTMENT MAY ALLOW FOR GOOD CAUSE A LICENSEE TO CHANGE THE DECLARED DAY OFF AT A TIME OTHER THAN THE TIME OF LICENSE RENEWAL.

(E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A LICENSED INDIVIDUAL MAY NOT SET CRABBING GEAR OR CRAB FOR COMMERCIAL PURPOSES, AND THE INDIVIDUAL'S DECLARED VESSEL MAY NOT BE USED TO SET CRABBING GEAR OR CRAB FOR COMMERCIAL PURPOSES, ON THE DAY THAT THE INDIVIDUAL DECLARED AS THE DAY OFF UNDER THIS SECTION.

(2) A LICENSEE MAY SET CRABBING GEAR OR CATCH CRABS FOR COMMERCIAL PURPOSES ON A SUNDAY AND A MONDAY OF A PARTICULAR WEEK IF:

(I) A STATE OR FEDERAL HOLIDAY FALLS ON THE SUNDAY OR MONDAY, OR THE IMMEDIATELY PRECEDING SATURDAY; OR

(II) THE SUNDAY AND MONDAY PRECEDE A STATE OR FEDERAL HOLIDAY THAT FALLS ON A TUESDAY, WEDNESDAY, THURSDAY, OR FRIDAY OF THE PARTICULAR WEEK.

(F) THE DEPARTMENT MAY ADOPT REGULATIONS THAT ALLOW THE

DEPARTMENT IN ITS DISCRETION TO ESTABLISH ALTERNATIVE DAYS OFF FOR A LICENSEE OTHER THAN A SUNDAY OR MONDAY.

(G) THE LICENSED INDIVIDUAL SHALL PAINT OR FIRMLY AFFIX LETTERS TO THE PORT SIDE OF THE VESSEL THAT IS DECLARED UNDER THIS SECTION IN THE FOLLOWING MANNER:

(1) THE LETTERS SHALL BE POSITIONED IN SUCH A MANNER AS TO BE CLEARLY VISIBLE TO PERSONS IN PASSING BOATS;

(2) THE LETTERS SHALL BE PLAIN VERTICAL BLOCK CHARACTERS OF NOT LESS THAN 4 INCHES IN HEIGHT AND SHALL CONTRAST WITH THE COLOR OF THE BACKGROUND;

(3) THE LETTERS "SUN" SHALL BE DISPLAYED AS THE ABBREVIATION FOR A SUNDAY DECLARED AS OFF UNDER THIS SECTION; AND

(4) THE LETTERS "MON" SHALL BE DISPLAYED AS THE ABBREVIATION FOR A MONDAY DECLARED AS OFF UNDER THIS SECTION."

AMENDMENT NO. 3

On page 3, in line 8, strike "July 1, 2001" and substitute "June 1, 2001. It shall remain effective for a period of 3 years and, at the end of May 31, 2004, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect".