

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL NO. 772

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "and Commercial"; in the same line, after "Crabbing" insert "License"; in line 9, after "purposes;" insert "altering certain provisions concerning the use of fees paid for recreational crabbing licenses"; strike beginning with "prohibiting" in line 12 down through "regulations;" in line 14; in line 15, after "law;" insert "removing the termination date of certain provisions of law;"; in line 20, strike "4-803 and"; and after line 22, insert:

"BY repealing and reenacting, with amendments,

Chapter 418 of the Acts of the General Assembly of 1998

Section 12

BY repealing and reenacting, with amendments,

Chapter 419 of the Acts of the General Assembly of 1998

Section 12".

On page 2, in line 4, after "repealing" insert "and reenacting, with amendments,".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 10 on page 2 through line 4 on page 3, inclusive.

On page 3, in line 13, strike "EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION," and substitute "(1)".

On pages 3 through 9, strike in their entirety the lines beginning with line 17 on page 3 through line 10 on page 9, inclusive, and substitute:

(Over)

- “(I) A TROTLINE;
- (II) MORE THAN 5 COLLAPSIBLE TRAPS OR NET RINGS; OR
- (III) MORE THAN A COMBINATION OF 5 COLLAPSIBLE TRAPS
AND NET RINGS.

(2) (I) AN INDIVIDUAL IS NOT REQUIRED TO OBTAIN A RECREATIONAL CRABBING LICENSE IF THE INDIVIDUAL USES:

- 1. A HANDLINE;
- 2. A DIPNET;
- 3. A SEINE;
- 4. NOT MORE THAN 5 COLLAPSIBLE TRAPS OR NET
RINGS; OR
- 5. NOT MORE THAN A COMBINATION OF 5
COLLAPSIBLE TRAPS AND NET RINGS.

(II) AN OWNER OF PRIVATE SHORELINE PROPERTY OR ANY GUEST OF AN OWNER OF PRIVATE SHORELINE PROPERTY IS NOT REQUIRED TO OBTAIN A RECREATIONAL CRABBING LICENSE TO CATCH CRABS FROM THE PROPERTY FOR RECREATIONAL PURPOSES.

(b) A [noncommercial] RECREATIONAL crabbing license issued under this section is valid for not more than 1 year and expires on December 31 of each year.

(c) (1) A [noncommercial] RECREATIONAL crabbing license may be obtained from any authorized agent of the Department.

- (2) The annual [noncommercial] RECREATIONAL crabbing license fees are:
 - (i) For a Maryland resident, \$5;
 - (ii) For a Maryland resident, in possession of a Maryland Chesapeake Bay

sport fishing license or a resident consolidated senior sport fishing license, \$2; and

(iii) For a nonresident, \$10.

(3) (i) The Department may designate a person engaged in a commercial enterprise to sell [noncommercial] RECREATIONAL crabbing licenses as an agent under the Department's control and supervision.

(ii) An agent selling [noncommercial] RECREATIONAL crabbing licenses under this paragraph may retain 50 cents for each license issued by the agent.

(d) [A noncommercial crabbing license is not required for:

(1) An individual to take crabs by dipnet or handline;

(2) A person who owns private property along the shore to set up to two crab pots from that private property;

(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.

(e) (1) The daily catch limits for hard crabs under this section are:

(i) 1 bushel for an individual exempt under subsection (d) of this section;

(ii) 2 bushels per boat if two or more individuals exempt under subsection (d) of this section are on the boat;

(Over)

(iii) 2 bushels for a holder of a noncommercial crabbing license; or

(iv) 3 bushels 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.

(f) (1) The Department shall deposit all fees received for noncommercial crabbing licenses to the credit of the fisheries research and development fund to be used for research, including independent studies of the fishery, and to determine the extent of the noncommercial crab catch. The amount of funds expended on the crab research may not exceed \$200,000.

(2) Any funds remaining beyond the financial demands of the research required under paragraph (1) of this subsection shall be used for enforcement.]

THE DEPARTMENT SHALL DEPOSIT ALL FEES RECEIVED FOR RECREATIONAL CRABBING LICENSES TO THE CREDIT OF THE FISHERIES RESEARCH AND DEVELOPMENT FUND TO BE USED FOR RESEARCH, INCLUDING THE DETERMINATION OF THE ANNUAL RECREATIONAL CRAB CATCH, INDEPENDENT STUDIES OF THE CRAB FISHERY, AND ENFORCEMENT.

(E) (1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN INDIVIDUAL LICENSED UNDER SUBSECTION (A) OF THIS SECTION MAY NOT CATCH OR POSSESS MORE THAN 1 BUSHEL OF HARD CRABS OR MORE THAN 1 DOZEN PEELERS OR SOFT CRABS OR A COMBINATION OF 1 DOZEN PEELERS AND SOFT CRABS PER DAY.

(II) REGARDLESS OF THE NUMBER OF INDIVIDUALS LICENSED

UNDER SUBSECTION (A) OF THIS SECTION WHO ARE ON A BOAT, NOT MORE THAN 1 BUSHEL OF HARD CRABS OR MORE THAN 2 DOZEN PEELERS OR SOFT CRABS OR A COMBINATION OF NOT MORE THAN 2 DOZEN PEELERS AND SOFT CRABS PER DAY MAY BE TAKEN OR POSSESSED PER BOAT.

(III) AN INDIVIDUAL WHO IS NOT REQUIRED TO OBTAIN A RECREATIONAL CRABBING LICENSE UNDER SUBSECTION (A) OF THIS SECTION MAY NOT CATCH OR POSSESS MORE THAN 2 DOZEN HARD CRABS OR MORE THAN 1 DOZEN PEELERS OR SOFT CRABS OR A COMBINATION OF NOT MORE THAN 1 DOZEN PEELERS AND SOFT CRABS PER DAY.

(IV) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, NOT MORE THAN 2 DOZEN HARD CRABS OR MORE THAN 1 DOZEN PEELERS OR SOFT CRABS OR A COMBINATION OF 1 DOZEN PEELERS AND SOFT CRABS MAY BE TAKEN OR POSSESSED PER BOAT.

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN INDIVIDUAL LICENSED UNDER SUBSECTION (A) OF THIS SECTION MAY NOT CATCH OR POSSESS PER DAY MORE THAN 1 DOZEN PEELERS OR SOFT CRABS OR A COMBINATION OF 1 DOZEN PEELERS AND SOFT CRABS.

(II) REGARDLESS OF THE NUMBER OF INDIVIDUALS LICENSED UNDER SUBSECTION (A) OF THIS SECTION WHO ARE ON A BOAT, NOT MORE THAN 2 DOZEN PEELERS OR SOFT CRABS OR A COMBINATION OF 2 DOZEN PEELERS AND SOFT CRABS PER DAY MAY BE TAKEN PER BOAT.

(3) AN INDIVIDUAL LICENSED TO PROVIDE SERVICES AS A COMMERCIAL FISHING GUIDE OR TO RECREATIONALLY FISH IN THE CHESAPEAKE BAY MAY POSSESS MORE THAN 2 DOZEN PEELERS OR SOFT CRABS FOR THE PURPOSE OF FISHING.

(F) IN ADDITION TO THE RECREATIONAL CRABBING GEAR AUTHORIZED IN SUBSECTION (A)(2)(I) OF THIS SECTION, AN INDIVIDUAL LICENSED UNDER

SUBSECTION (A) OF THIS SECTION MAY ONLY USE THE FOLLOWING GEAR:

(1) ONE TROTLINE THAT MAY NOT EXCEED 1,000 FEET IN LENGTH FOR THE BAITED PORTION; AND

(2) (I) NOT MORE THAN 20 COLLAPSIBLE TRAPS OR NET RINGS; OR

(II) NOT MORE THAN 20 OF A COMBINATION OF COLLAPSIBLE TRAPS AND NET RINGS.

(g) (1) An individual who may catch or attempt to catch crabs under this section may not offer to sell or sell crabs that were caught for [noncommercial or] recreational purposes.

(2) [A person] AN INDIVIDUAL may not knowingly buy or offer to buy crabs from [an] ANOTHER individual who caught crabs for [noncommercial] RECREATIONAL purposes under this section.

(h) (1) Except as provided in paragraph (2) of this subsection, [a person] AN INDIVIDUAL who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to:

(i) For a first offense, a fine not exceeding \$500; and

(ii) For a second or subsequent offense, a fine not exceeding \$1,000.

(2) [A person] AN INDIVIDUAL who violates subsection (g) of this section is guilty of a misdemeanor and on conviction is subject to:

(i) For a first offense, a fine not exceeding \$500; and

(ii) For a second or subsequent offense, a fine of not less than \$500 and not exceeding \$2,000.

SECTION 12. AND BE IT FURTHER ENACTED, That Sections 3 and 11 of this Act shall take effect January 1, 1999. [They shall remain effective for a period of 5 years, and, at the end of December 31, 2003, with no further action required by the General Assembly, Sections 3 and 11 of this Act shall be abrogated and of no further force and effect.]

Chapter 419 of the Acts of 1998

SECTION 12. AND BE IT FURTHER ENACTED, That Sections 3 and 11 of this Act shall take effect January 1, 1999. [They shall remain effective for a period of 5 years, and, at the end of December 31, 2003, with no further action required by the General Assembly, Sections 3 and 11 of this Act shall be abrogated and of no further force and effect.]

Chapter 184 of the Acts of 1994

SECTION 3. AND BE IT FURTHER ENACTED, That notwithstanding any regulation adopted by the Department of Natural Resources to the contrary [:

(1) A person catching crabs for recreational purposes may begin crabbing at 5:30 a.m. on any day;

(2) The per person limit on the number of collapsible crab traps and crab net rings that may be used to catch crabs for recreational purposes, in any combination, is 10, except that, regardless of the number of people on a boat, up to 25 collapsible crab traps and rings, in any combination, may be used for recreational purposes per boat; and

(3) Notwithstanding] AND NOTWITHSTANDING a requirement that crab pots have unobstructed cull rings, a person may obstruct the cull ring of a crab pot at any time of the year in order to catch peeler crabs.”.

On page 9, strike in their entirety lines 23 and 24; and in line 25, strike “3.” and substitute “2”.

(Over)