

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
Enrolled

Senate Bill 59

(Senator Waugh)

Education, Health, and Environmental Affairs

Environment and Transportation

Crabs - Harvest Times - Holidays

This bill requires the Department of Natural Resources (DNR) to adopt regulations that allow tidal fish licensees authorized to catch crabs using all legal gear to work one additional early hour on Labor Day, Memorial Day, July 4, and the day before each of those holidays.

The bill takes effect July 1, 2017.

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 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. The same time periods apply for crab scrapes, although crab scrapes may not be used from October 31 to April 14. For crab pots, bank traps, channel pounds, collapsible traps, net rings, handlines, dip nets, and pound nets, generally, the period is 0.5 hours before sunrise to 7.5 hours after sunrise.

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 on specified holidays and the day before each holiday may provide a small economic benefit for licensees that make use of it, by being able to get to market sooner.

Additional Information

Prior Introductions: SB 837 of 2016, a similar bill, 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. HB 1595 of 2016, also a similar bill, was referred to the House Rules and Executive Nominations Committee, but no further action was taken.

Cross File: None designated. However, HB 1314 (Delegate Jacobs, *et al.* – Environment and Transportation) is identical.

Information Source(s): Department of Natural Resources; Department of Legislative Services

Fiscal Note History: First Reader - January 20, 2017
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Revised - Amendment(s) - March 20, 2017
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