

**Department of Legislative Services**  
Maryland General Assembly  
2016 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

House Bill 915

(Delegate Jacobs, *et al.*)

Environment and Transportation

Education, Health, and Environmental Affairs

---

**Tidal Fish License - Catching Crabs Using Trotline Gear - Holidays**

---

This bill authorizes the Department of Natural Resources (DNR), if it allows the workday for catching crabs with trotline gear to begin earlier than one hour before sunrise, to adopt regulations to restrict a tidal fish licensee who catches crabs using trotline gear to a workday of at least 10 hours per day, excluding time spent setting or taking up gear, on Memorial Day, Independence Day, and Labor Day, and the weekend either before or after each of those holidays.

---

**Fiscal Summary**

**State Effect:** The bill does not directly affect State finances.

**Local Effect:** None.

**Small Business Effect:** Potential meaningful.

---

**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 time 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.

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:** This bill allows DNR to establish a workday beginning earlier than one hour before sunrise that does not include or limit the time for setting or taking up trotline gear. Small business commercial licensees using trotline gear may meaningfully benefit from an earlier workday on the identified holiday weekends. An earlier workday is expected to allow licensees to harvest and/or sell more crabs on those holiday weekend days, when demand causes licensees to need to make it to market earlier to sell their catch.

---

### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 837 (Senator Waugh) - Education, Health, and Environmental Affairs.

**Information Source(s):** Department of Natural Resources, Maryland Watermen's Association, Department of Legislative Services

**Fiscal Note History:** First Reader - February 25, 2016  
md/lgc Revised - House Third Reader - March 30, 2016

---

Analysis by: Scott D. Kennedy

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510