

# SENATE BILL 257

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By: **Senators Bailey and Elfreth**

Introduced and read first time: January 20, 2020

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 18, 2020

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Fishing Gear – Lost and Abandoned Crab Pots – ~~Ghost Panel Requirement~~**  
3 **Study**

4 FOR the purpose of requiring the ~~Secretary of Natural Resources to adopt regulations~~  
5 ~~requiring that certain crab pots be equipped with ghost panels and establishing~~  
6 ~~certain specifications for ghost panels used in crab pots;~~ Tidal Fisheries Advisory  
7 Commission to study certain adverse impacts caused by lost and abandoned crab  
8 pots, identify and assess certain practices and measures for mitigating the problems  
9 associated with lost and abandoned crab pots, and make recommendations for  
10 addressing problems associated with certain lost and abandoned crab pots; requiring  
11 the Commission to report to the Secretary of Natural Resources on or before a certain  
12 date; providing for the termination of this Act; defining a certain term; and generally  
13 relating to ~~requirements for~~ lost and abandoned crab pots.

14 ~~BY repealing and reenacting, with amendments,~~  
15 ~~Article – Natural Resources~~  
16 ~~Section 4-221~~  
17 ~~Annotated Code of Maryland~~  
18 ~~(2018 Replacement Volume and 2019 Supplement)~~

19 ~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,~~  
20 ~~That the Laws of Maryland read as follows:~~

21 ~~**Article – Natural Resources**~~

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 ~~4-221.~~

2 (a) ~~The authority provided by this section is in addition to any other authority of~~  
 3 ~~the Secretary provided by law.~~

4 (b) (1) ~~Subject to [paragraph (2)] PARAGRAPHS (2) AND (3) of this~~  
 5 ~~subsection, the Secretary, after consultation with the Tidal Fisheries Advisory Commission~~  
 6 ~~and the Sport Fisheries Advisory Commission, may adopt regulations to define and govern~~  
 7 ~~the use of:~~

8 (i) ~~Recreational fishing gear; and~~

9 (ii) ~~The following types of commercial fishing gear:~~

10 ~~1. Fish pots;~~

11 ~~2. Bank traps;~~

12 ~~3. Fyke nets;~~

13 ~~4. Hoop nets;~~

14 ~~5. Finfish trotlines; and~~

15 ~~6. Bowfishing gear.~~

16 (2) ~~The Department shall consider relevant biological, ecological, and~~  
 17 ~~socioeconomic factors before adopting regulations under this subsection.~~

18 (3) (I) ~~IN THIS PARAGRAPH, "GHOST PANEL" MEANS A PANEL OR~~  
 19 ~~ANY OTHER MECHANISM THAT IS DESIGNED TO ALLOW CRABS TO ESCAPE FROM A~~  
 20 ~~CRAB POT AFTER A PERIOD OF TIME IF THE CRAB POT HAS BEEN ABANDONED OR~~  
 21 ~~LOST.~~

22 (H) ~~THE SECRETARY SHALL ADOPT REGULATIONS TO:~~

23 ~~1. REQUIRE ALL CRAB POTS TO BE EQUIPPED WITH~~  
 24 ~~GHOST PANELS; AND~~

25 ~~2. ESTABLISH SPECIFICATIONS FOR GHOST PANELS~~  
 26 ~~USED IN CRAB POTS.~~

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND.

28 That:

1           (a) The Tidal Fisheries Advisory Commission, established under § 4-204(a) of the  
2 Natural Resources Article, shall:

3                   (1) study, using relevant literature, adverse impacts to fish species and  
4 aquatic habitat caused by lost and abandoned crab pots;

5                   (2) identify and assess practices and measures that could be implemented  
6 or adopted to mitigate the problems associated with lost and abandoned crab pots,  
7 including:

8                           (i) the feasibility and potential impacts of requiring all crab pots to  
9 be equipped with ghost panels;

10                           (ii) costs associated with each mitigating practice and measure  
11 considered by the Commission; and

12                           (iii) the optimal timing for implementing any mitigating practices or  
13 measures recommended by the Commission; and

14                   (3) make recommendations for addressing problems associated with lost  
15 and abandoned crab pots in the State.

16           (b) On or before December 31, 2020, the Commission shall report its findings and  
17 recommendations to the Secretary of Natural Resources.

18           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~  
19 June 1, 2020. It shall remain effective for a period of 1 year and 1 month and, at the end of  
20 June 30, 2021, this Act, with no further action required by the General Assembly, shall be  
21 abrogated and of no further force and effect.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.