



HOUSE BILL 486: Commercial Fishing License Reforms.

2019-2020 General Assembly

Committee:	House Wildlife Resources. If favorable, re-refer to Finance. If favorable, re-refer to Appropriations, Agriculture and Natural and Economic Resources. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 16, 2019
Introduced by:	Reps. Yarborough, Dixon, Cunningham, Wray	Prepared by:	Jeff Hudson
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *House Bill 486 would amend the State's commercial fishing license laws, repeal the Recreational Commercial Gear License, and increase fees for various commercial and recreational coastal fishing licenses.*

CURRENT LAW AND BILL ANALYSIS:

Amendments to Commercial Fishing License Laws:

Under current law, the State requires that persons be licensed in order to engage in particular activities related to taking and selling marine fish. The different types of licenses include the Standard Commercial Fishing License (SCFL) and the Retired Standard Commercial Fishing License (RSCFL).

House Bill 486 would make the following changes to the State's commercial fishing license laws:

- Provide that it is unlawful for any person to hold more than one of each type of commercial fishing license.
- Amend provisions related to the SCFL as follows:
 - Increase the annual SCFL fee from \$400.00 to \$800.00.
 - Limit the ability to assign and transfer SCFLs to members of the SCFL holder's immediate family or to a business in which the SCFL holder has a controlling interest.
 - Add a reporting requirement for fish that are caught, but are not sold.
 - Establish a Heritage Standard Commercial Fishing License (HSCFL) and a process for converting SCFLs to HSCFLs and vice versa.
- Increase the annual fee for RSCFLs for residents from \$200.00 to \$400.00 and for non-residents from \$260.00 to \$520.00.
- Establish a Commercial Fishing Crew License (CFCL) as follows:
 - A person serving on the crew of a vessel engaged in a commercial fishing operation under the direction of a person who holds a SCFL may apply for a CFCL.

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Legislative Analysis
Division
919-733-2578

House Bill 486

Page 2

- A person who holds a CFCL for three consecutive years will be eligible to apply for a SCFL without meeting the eligibility requirements established by the Marine Fisheries Commission (MFC).
- The annual fee for a CFCL would be \$100.00 for a resident and \$130.00 for a nonresident.
- Establish a reporting requirement for fishing tournaments.
- Effective June 30, 2022, establish a minimum effort requirement in order to be able to renew a SCFL.
- Direct the MFC and the Division of Marine Fisheries (DMF) to develop a plan to expand opportunities for commercial fishermen for access to and harvest of commercial fisheries, including extension of fishing seasons, higher trip limits, and authorization of hook and line as an allowable gear for all species.
- Modifies and updates the provisions governing the available pool of SCFLs and directs the MFC to use 100 of the available licenses to establish an apprentice program.

Repeal Recreational Commercial Gear License and Adjust Allowable Gear under the Coastal Recreational Fishing License

Under current law, a Recreational Commercial Gear License (RCGL) allows the holder to use some commercial fishing gear for recreational purposes while a Coastal Recreational Fishing License (CRFL) allows the holder to use recreational gear only.

Effective June 30, 2019, House Bill 486 would repeal the RCGL and direct the MFC to adopt rules to allow CRFL holders to use bait seines and up to five crab pots to take fish for recreational purposes.

Increase Fees for Coastal Recreational Fishing Licenses

Effective October 1, 2019, House Bill 486 would increase the fees for certain CRFLs as follows:

- Annual Resident CRFL: From \$15.00 to \$20.00.
- Annual Nonresident CRFL: From \$30.00 to \$36.00.
- Ten-Day Resident CRFL: From \$5.00 to \$7.00.
- Ten-Day Nonresident CRFL: From \$10.00 to \$18.00.

EFFECTIVE DATE: Except as otherwise provided, this act would become effective when it becomes law.