



SPONSOR: Sen. Buckson & Rep. Spiegelman  
Sens. Hocker, Pettyjohn, Wilson; Rep. Gray

DELAWARE STATE SENATE  
152nd GENERAL ASSEMBLY

SENATE BILL NO. 144

AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FOOD FISHING PERMIT REQUIREMENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1           Section 1. Amend § 915, Title 7 of the Delaware Code by making deletions as shown by strike through and  
2     insertions as shown by underline as follows:

3           § 915. Food fishing equipment permit; requirements, fees and restrictions.

4           (k) Notwithstanding subsection (j) of this section, when the total number of food fishing equipment permits for  
5     hook and line drops below 172, the number issued in 1999, the Department shall issue additional food fishing equipment  
6     permits for hook and line, not to exceed 172 in number, under and pursuant to a lottery conducted by the Department. An  
7     individual is eligible to participate in the lottery if the individual has met either of the following requirements:

8           (1) The individual has completed an apprenticeship program of at least 150 days in no less than a 1-year  
9     period with an active commercial fisher licensed by the Department.

10          (2) The individual has completed the requirements to receive a Merchant Mariner Credential issued by the  
11     United States Coast Guard National Maritime Center ~~with the capacity of Master~~. The credential must be in good  
12     standing with the United States Coast Guard National Maritime Center at the time the application for the license is  
13     made. The individual must also present a letter of recommendation to the Department from an active commercial fisher  
14     licensed by the Department. The letter would include the name, address, and contact information of the active  
15     commercial fisher who is making the recommendation as well as an assessment of the individuals fishing skills and an  
16     explanation of the length of time and capacity in which the licensed fisher has known the individual. Upon verification  
17     of authenticity of the letter of recommendation by the Department, the individual shall be entered in the lottery.

SYNOPSIS

This Act removes the language "in the capacity of Master" from Chapter 9 of Title 7. This language has the effect of prohibiting highly credentialed professionals who have earned the right to captain their own ships, via appropriate United States Coast Guard training, from being provided with a food fishing permit. Removing this criterion would make the existing requirements more flexible and allow families that rely upon fishing as part of their livelihoods to proceed unimpeded by time-consuming and costly requirements.

Author: Senator Buckson