

Amendment to HB 1297

1 Amend the bill by replacing section 2 with the following:

2
3 2 New Paragraph; Lobsters and Crabs; Scuba Diver Recreational Lobster License. Amend RSA
4 211:18 by inserting after paragraph II-a the following new paragraph:

5 II-b.(a) A person who is a resident of this state and wishes to engage in scuba diving or
6 freediving, also known as skin diving, as a recreational activity, and who is in compliance with RSA
7 270:31 through 270:32-a, and has attained 18 years of age, shall be permitted to take lobsters under
8 a scuba diver recreational lobster license issued by the executive director. The executive director
9 shall make available a number of scuba diver recreational lobster licenses that is equivalent to the
10 number of recreational lobster and crab licenses available in the prior calendar year under
11 subparagraph III(a).

12 (b) The executive director shall set the fee for the scuba diver recreational lobster license
13 which shall be credited to the derelict fishing gear and coastal cleanup fund established in RSA
14 211:77.

15 (c) The executive director shall establish the scuba diver recreational lobster season
16 from April 1 through September 15, and a scuba diver recreational lobster license shall be valid for
17 not less than 4 weeks during such season.

18 (d) The license shall consist of letters and or numbers which the person engaged in
19 scuba diving shall affix to his or her diving tanks and regulation dive flag in a contrasting color
20 making it readily visible to a conservation officer.

21 (e) The executive director shall establish a limit on the number of lobsters taken per day
22 by a scuba diver holding a license under this paragraph, provided such limit shall not be less than 3
23 lobsters per day per licensee. Lobsters shall be taken only for the consumption by the licensee, and
24 the licensee's family and guests.

25 (f) No person shall at any time take any lobsters by any method except by hand. Use of
26 a tickle stick, which is a straight or slightly bent stick used to agitate a lobster into coming out of its
27 hole, shall be permitted.

28 (g) All lobsters taken under a scuba diver recreational lobster license shall be of legal
29 size, as provisioned by RSA 211:62 and in accordance with RSA 211:27, measured immediately upon
30 capture on the seafloor before surfacing.

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1 (h) The scuba diver recreational lobster license shall not be transferred to any other
2 person.

3 (i) Annual catch reports shall be required of all scuba diver recreational lobster license
4 holders at the time of renewal or, if not renewing license, at year end. Annual catch information, in
5 a format determined by the executive director, shall be required of all divers before renewal
6 application will be accepted.

7 (j) The executive director shall adopt rules for the issuance of the license under this
8 paragraph, and rules governing the sex and size of lobsters allowed to be taken under this
9 paragraph, provided such rules conform with requirements applicable to non-commercial 5 pot
10 licenses and commercial lobster license holders.

11 (k) The executive director shall submit a report to the chairpersons of the house and
12 senate committees with the jurisdiction over scuba diving recreational lobster licensing. The report
13 shall include the total number of lobsters reported taken by year by non-commercial scuba diving
14 license holders, the total number of non-commercial scuba diving lobster licenses issued, the number
15 of violations issued, the number of investigations detailed by source, such as public complaint,
16 commercial lobsterman complaint, diver complaint, conservation officer complaint. The executive
17 director shall submit the report within 5 years of the effective date of this paragraph, and every 5
18 years thereafter.

19
20 Amend the bill by replacing all after section 4 with the following:

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22 5 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill authorizes the executive director of fish and game to issue a scuba diver recreational lobster license.