

HOUSE BILL 445

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M2

2001 Regular Session
(11r1625)

ENROLLED BILL

-- Environmental Matters/Economic and Environmental Affairs --

Introduced by **Delegate O'Donnell**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER 661

1 AN ACT concerning

2 **Natural Resources - Tidal Fish License - Exemption for Live Bait Harvesters**
3 **and Dealers**

4 FOR the purpose of exempting certain persons engaged in certain commercial activity
5 involving certain finfish from obtaining a certain license; requiring the
6 Department of Natural Resources to conduct a certain study and provide a
7 certain report by a certain date and in a certain manner; providing for the
8 termination of this Act; and generally relating to tidal fish licenses and an
9 exemption for live bait harvesters and dealers.

10 BY repealing and reenacting, with amendments,
11 Article - Natural Resources
12 Section 4-702
13 Annotated Code of Maryland
14 (2000 Replacement Volume)

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

3 **Article - Natural Resources**

4 4-702.

5 (a) Except as provided in subsection (b), a person may not buy, sell, ship,
6 transport, or otherwise deal in finfish unless the person is licensed by the
7 Department.

8 (b) The following persons are not required to obtain a license under this
9 section:

10 (1) A person licensed by the Department to catch finfish for sale;

11 (2) A retail market, restaurant, or other establishment where finfish are
12 sold or served to ultimate consumers, and not for resale;

13 (3) A person who buys finfish for personal use or consumption[.]; OR

14 (4) A PERSON WHO CATCHES OR SELLS FINFISH FOR USE AS LIVE BAIT,
15 LIMITED TO:

16 (I) FISH NOT SUBJECT TO A FISHERIES MANAGEMENT PLAN IN
17 ACCORDANCE WITH § 4-215 OF THIS TITLE; AND

18 (II) FISH NOT OTHERWISE REGULATED BY THE DEPARTMENT.

19 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of
20 Natural Resources shall conduct a study of bait fish harvested and sold in Maryland
21 to determine the impact of harvesting bait fish on the ecosystem of the Chesapeake
22 Bay. The Department shall report on this study on or before December 1, 2002 to the
23 Senate Economic and Environmental Affairs Committee, the House Environmental
24 Matters Committee, and, in accordance with § 2-1246 of the State Government
25 Article, the General Assembly and include recommendations for the management or
26 regulation of bait fish harvested or sold in Maryland.

27 ~~SECTION 3.~~ AND BE IT FURTHER ENACTED, That this Act shall take
28 effect October 1, 2001. *It shall remain effective for a period of 2 years and, at the end*
29 *of September 30, 2003, with no further action required by the General Assembly, this*
30 *Act shall be abrogated and of no further force and effect.*

