

HOUSE BILL 1287

M2

5lr3115

By: **Delegate O'Donnell**

Rules suspended

Introduced and read first time: March 13, 2015

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Tidal Fisheries Advisory Commission and Sport Fisheries Advisory Commission**
3 **– Membership**

4 FOR the purpose of altering the composition of the Tidal Fisheries Advisory Commission
5 and the Sport Fisheries Advisory Commission; requiring the Governor, with the
6 advice of the Secretary of Natural Resources, to appoint a member of the Maryland
7 Shellfish Growers Association to both the Tidal Fisheries Advisory Commission and
8 the Sport Fisheries Advisory Commission; providing for the terms of the membership
9 of the Tidal Fisheries Advisory Commission and the Sport Fisheries Advisory
10 Commission; making certain stylistic changes; and generally relating to the
11 membership of the Tidal Fisheries Advisory Commission and the Sport Fisheries
12 Advisory Commission in the Department of Natural Resources.

13 BY repealing and reenacting, without amendments,
14 Article – Natural Resources
15 Section 1–102(c)(1) and (3) through (6)
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2014 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Natural Resources
20 Section 4–204(a) and (b)
21 Annotated Code of Maryland
22 (2012 Replacement Volume and 2014 Supplement)

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

25 **Article – Natural Resources**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1-102.

2 (c) (1) Unless otherwise provided by this article, each advisory commission
3 created by law consists of five members appointed by the Governor, with the advice of the
4 Secretary, to serve at the pleasure of the Governor.

5 (3) A member shall be knowledgeable in the area of interest of the advisory
6 commission on which he serves.

7 (4) Each advisory commission shall advise the Secretary or the
8 administration of the appropriate Department unit, pursuant to rules and regulations the
9 Secretary adopts.

10 (5) The members of each advisory commission annually shall elect a
11 chairman of the commission and may adopt procedures to conduct its meetings.

12 (6) An advisory commission member receives the compensation provided
13 in the Department budget. Every member shall be reimbursed for necessary travel
14 expenses incurred in performing any official duty, pursuant to rules and regulations the
15 Secretary adopts.

16 4-204.

17 (a) (1) There is a Tidal Fisheries Advisory Commission in the Department.

18 (2) The Commission is composed of up to [15] **16** members appointed and
19 serving in accordance with the procedures adopted under § 1-102(c) of this article.

20 (3) (i) **THE COMMISSION CONSISTS OF:**

21 **1.** Up to 14 commercial watermen [and one];

22 **2.** **ONE** member of the Sport Fisheries Advisory Commission
23 [shall comprise the Commission]; **AND**

24 **3.** **ONE MEMBER OF THE MARYLAND SHELLFISH**
25 **GROWERS ASSOCIATION.**

26 (ii) The composition of the Commission shall reflect the geographic
27 regions of the State where the commercial fishing industry is operating.

28 (4) The term of a member is 2 years.

29 (5) The terms of members are staggered as required by the terms provided
30 for members of the Commission on July 1, [2010] **2015**.

1 (6) At the end of a term, a member continues to serve until a successor is
2 appointed and qualifies.

3 (7) A member who is appointed after a term has begun serves only for the
4 rest of the term and until a successor is appointed and qualifies.

5 (b) (1) There is a Sport Fisheries Advisory Commission in the Department.

6 (2) The Commission shall provide the Department advice on recreational
7 fisheries matters.

8 (3) (i) The Commission is composed of [16] 17 members appointed and
9 serving in accordance with the provisions of § 1–102(c) of this article[, including one].

10 (II) **THE COMMISSION SHALL INCLUDE:**

11 1. **ONE** member of the Tidal Fisheries Advisory Commission
12 who is not the representative of the Sport Fisheries Advisory Commission serving on the
13 Tidal Fisheries Advisory Commission under subsection (a)(3)(i) of this section; **AND**

14 2. **ONE MEMBER OF THE MARYLAND SHELLFISH**
15 **GROWERS ASSOCIATION.**

16 [(ii)] (iii) The experience and backgrounds of Commission members
17 shall represent the diversified angling interests and waters of the State.

18 (4) (i) The term of a member is 4 years and a member may be
19 reappointed.

20 (ii) The terms of members are staggered as required by the terms
21 provided for members of the Commission on July 1, [2010] 2015.

22 (iii) At the end of a term, a member continues to serve until a
23 successor is appointed and qualifies.

24 (iv) A member who is appointed after a term has begun serves only
25 for the rest of the term and until a successor is appointed and qualifies.

26 **SECTION 2. AND BE IT FURTHER ENACTED, That:**

27 (1) the initial term of the new member appointed to the Tidal Fisheries
28 Advisory Commission in accordance with § 4–204(a)(3) of the Natural Resources Article, as
29 enacted by Section 1 of this Act, shall begin July 1, 2015, and expire June 30, 2017; and

1 (2) the initial term of the new member appointed to the Sport Fisheries
2 Advisory Commission in accordance with § 4-204(b)(3) of the Natural Resources Article, as
3 enacted by Section 1 of this Act, shall begin July 1, 2015, and expire June 30, 2019.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2015.