

# HOUSE BILL 1387

M2

6lr2768  
CF 6lr3696

---

By: Delegates Hornberger, Afzali, Anderton, Arentz, B. Barnes, Beitzel, Buckel, Cassilly, Chang, Cluster, Fennell, Flanagan, Ghrist, Glass, Grammer, C. Howard, Jacobs, Jalisi, Kipke, Krebs, Lisanti, Long, Luedtke, Malone, Mautz, McCray, McKay, W. Miller, Moon, Morgan, O'Donnell, Otto, Patterson, Platt, Reilly, Rey, Rose, Shoemaker, Simonaire, Sophocleus, Szeliga, Walker, A. Washington, M. Washington, West, and B. Wilson

Introduced and read first time: February 12, 2016

Assigned to: Environment and Transportation

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Northern Snakehead Bowfishing License – Establishment**

3 FOR the purpose of establishing a commercial northern snakehead bowfishing license;  
4 authorizing a licensee to catch for sale northern snakeheads in certain waters of the  
5 State using a certain bow and arrow; prohibiting a licensee from fishing under the  
6 license under certain circumstances; establishing that an applicant for the license  
7 does not need to hold a tidal fish license to be eligible for the license; establishing a  
8 certain application process for the license; establishing the term of the license;  
9 establishing a certain annual fee for the license; prohibiting a licensee from  
10 transferring the license; requiring a licensee to possess the license while fishing for  
11 northern snakehead; establishing that a licensee is eligible to obtain a certain  
12 seafood dealer license; making certain conforming changes; and generally relating to  
13 the establishment of a commercial northern snakehead bowfishing license.

14 BY repealing and reenacting, with amendments,  
15 Article – Natural Resources  
16 Section 4–701(a), (b)(1), and (d)(2)(ii)4.  
17 Annotated Code of Maryland  
18 (2012 Replacement Volume and 2015 Supplement)

19 BY repealing and reenacting, without amendments,  
20 Article – Natural Resources  
21 Section 4–701(d)(2)(i)  
22 Annotated Code of Maryland  
23 (2012 Replacement Volume and 2015 Supplement)

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to  
2 Article – Natural Resources  
3 Section 4–701.1  
4 Annotated Code of Maryland  
5 (2012 Replacement Volume and 2015 Supplement)

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

8 **Article – Natural Resources**

9 4–701.

10 (a) **[This] EXCEPT AS PROVIDED IN § 4–701.1 OF THIS SECTION, THIS** section  
11 applies to any person who is required under Subtitle 2, 7, 8, 9, or 10 of this title to be  
12 licensed to guide fishing parties or to catch, sell, buy, process, transport, export, or  
13 otherwise deal in fish caught in tidal waters.

14 (b) (1) **[The] EXCEPT AS PROVIDED IN § 4–701.1 OF THIS SECTION, THE**  
15 Department shall utilize a single, commercial license, to be known and designated as a tidal  
16 fish license.

17 (d) (2) (i) On a tidal fish license, the Department may issue an  
18 authorization for any of the following activities for which the indicated fee has been paid.

19 (ii) The following annual fees for an authorization shall apply  
20 regardless of when the license is issued or an activity is authorized:

21 4. For a person to buy, process, pack, resell, market or  
22 otherwise deal in fish caught in the tidal waters of Maryland, seafood dealer:

23 A. \$50 for a person licensed under item 2 of this  
24 subparagraph **OR § 4–701.1 OF THIS SUBTITLE**; or

25 B. \$250 for a person not licensed under item 2 of this  
26 subparagraph.

27 **4–701.1.**

28 **(A) THERE IS A COMMERCIAL NORTHERN SNAKEHEAD BOWFISHING**  
29 **LICENSE.**

30 **(B) (1) THE LICENSE AUTHORIZES THE HOLDER TO CATCH FOR SALE**  
31 **NORTHERN SNAKEHEADS IN THE TIDAL WATERS OF THE STATE USING A BOW AND**  
32 **ARROW ATTACHED TO A RETRIEVAL LINE.**

1           **(2) A LICENSEE MAY NOT FISH UNDER THE LICENSE WITHIN 75 YARDS**  
2 **OF:**

3                   **(I) ANOTHER PERSON OR VESSEL;**

4                   **(II) A PUBLIC OR PRIVATE SWIMMING AREA;**

5                   **(III) A DIVER DOWN FLAG; OR**

6                   **(IV) AN OCCUPIED OFFSHORE STATIONARY BLIND.**

7           **(C) AN APPLICANT FOR A LICENSE DOES NOT NEED TO HOLD A TIDAL FISH**  
8 **LICENSE UNDER § 4-701 OF THIS SUBTITLE TO BE ELIGIBLE FOR THE LICENSE.**

9           **(D) A PERSON WHO WISHES TO OBTAIN A LICENSE SHALL COMPLETE AND**  
10 **SUBMIT AN APPLICATION FOR THE LICENSE TO THE DEPARTMENT OR ANY PERSON**  
11 **DESIGNATED BY THE DEPARTMENT.**

12           **(E) THE TERM OF THE LICENSE IS 1 YEAR FROM SEPTEMBER 1 THROUGH**  
13 **AUGUST 31 OF THE FOLLOWING YEAR.**

14           **(F) THE ANNUAL LICENSE FEE IS \$15.**

15           **(G) A LICENSEE MAY NOT TRANSFER A LICENSE ISSUED UNDER THIS**  
16 **SECTION.**

17           **(H) A LICENSEE WHO FISHES FOR NORTHERN SNAKEHEAD UNDER THE**  
18 **LICENSE SHALL POSSESS THE LICENSE.**

19           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2016.