

SENATE BILL 1054

M2

6lr3696
CF HB 1387

By: **Senator Mathias**

Introduced and read first time: February 18, 2016

Assigned to: Rules

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)

24 BY adding to
25 Article – Natural Resources
26 Section 4–701.1
27 Annotated Code of Maryland
28 (2012 Replacement Volume and 2015 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Natural Resources**

4 4–701.

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

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

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

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

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

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

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

22 **4–701.1.**

23 **(A) THERE IS A COMMERCIAL NORTHERN SNAKEHEAD BOWFISHING**
24 **LICENSE.**

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

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

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

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

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

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

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

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

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

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

12 **(G) A LICENSEE MAY NOT TRANSFER A LICENSE ISSUED UNDER THIS**
13 **SECTION.**

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

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