

BY: Senator Colburn

AMENDMENTS TO HOUSE BILL NO. 1075

(Third Reading File Bill)

AMENDMENT NO. 1

At the top of page 1, insert "EMERGENCY BILL"; in line 2, after "Guide" insert "and Tidal Fish"; in line 11 after "conditions;" insert "altering the circumstances under which a person may transfer a tidal fish license or authorization to certain persons;" in line 14, after "changes;" insert "providing for the termination of a certain portion of this Act; providing for the application of certain provisions of this Act; making this Act an emergency measure;" and in line 17, after "4-210" insert "and 4-701(i)(2)".

AMENDMENT NO. 2

On page 2, in line 3, strike "and (d)" and substitute ", (b), (d), and (i)(1)".

AMENDMENT NO. 3

On page 5, after line 6, insert:

"(b) (1) The Department shall utilize a single, commercial license, to be known and designated as a tidal fish license.

(2) A tidal fish license authorizes a licensee:

(i) To engage in each activity indicated on the license; and

(ii) For catching crabs, to utilize the number of crew members indicated on the license.

(3) Except for a person receiving a license under subsection (i)(2)(ii) of this section, the Department may not issue a tidal fish license to an individual who is younger than 14 years of age.

(Over)

(4) A person may not guide fishing parties or catch, sell, buy, process, transport, export, or otherwise deal in fish caught in tidal waters unless licensed under this section.”.

AMENDMENT NO. 4

On page 7, after line 16, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Natural Resources

4-701.

(i) (1) A license or authorization may be transferred only under the provisions of this subsection.

(2) The Department shall review and may approve the permanent transfer of a license or an authorization to a person who is the licensee's spouse, daughter, son, stepchild, grandchild, step grandchild, parent, sister, brother, grandparent, father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, or brother-in-law, and only:

(i) If the licensee makes application to the Department requesting transfer and the transferee has paid the fee for the license or authorization; or

(ii) Upon death of the licensee, if the licensee OR AN AUTHORIZED REPRESENTATIVE OF THE LICENSEE INDICATES OR had indicated that person's name [on the license application on file with] TO the Department.”.

AMENDMENT NO. 5

On page 7, before line 17, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall be construed retroactively and shall be applied to and interpreted to affect a license or authorization in existence on March 1, 1999. Section 2 of this Act shall remain effective until December 31, 1999, and, at the end of December 31, 1999, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.”;

in line 17, strike “2.” and substitute “4.”; in the same line, after “That” insert “Section 1 of”; and after line 18, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.