

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 458

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “- Checks”; in the same line, after “Fees” insert “- Tidal Fish Licenses”; in line 5, after “renumbering;” insert “adding certain criteria under which the Department of Natural Resources may modify a certain target number of fishing license authorizations; altering the method that the Department is required to use to set the targets for the number of tidal fishing license authorizations to be issued; repealing the termination date of certain provisions relating to applicants for apprenticeship permits in connection with tidal fish licenses; extending the date from which the Department may convert a tidal fish license to an unlimited tidal fish license;”; in the same line, after “date” insert “for certain provisions of this Act”; in line 6, after “fees” insert “and tidal fish licenses”; after line 17, insert:

“BY repealing and reenacting, without amendments,

Article - Natural Resources

Section 4-701(d)(1) and (2)(i) and (ii)1 and 2 and (g)(1) and 4-701.1(g)(4)

Annotated Code of Maryland

(1997 Replacement Volume and 1998 Supplement)

BY repealing and reenacting, with amendments,

Article - Natural Resources

Section 4-701(g)(2)

Annotated Code of Maryland

(1997 Replacement Volume and 1998 Supplement)

BY repealing and reenacting, with amendments,

Chapter 418 of the Acts of the General Assembly of 1998

Section 14

(Over)

BY repealing and reenacting, with amendments,

Chapter 419 of the Acts of the General Assembly of 1998
Section 7 and 14”.

AMENDMENT NO. 2

On page 2, in line 35, strike “corrected” and substitute “DUPLICATE”; in the same line, strike the brackets; and in the same line, strike “\$8”.

On page 4, in line 21, strike “12” and substitute “5”; in line 22, strike “duplicate or”; and in line 22, after the second “title” insert “, AND \$2 FOR A DUPLICATE CERTIFICATE OF TITLE”.

AMENDMENT NO. 3

On page 4, after line 22, insert:

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

Article - Natural Resources

4-701.

(d) (1) The Department may issue no more than one authorization to a person to engage in each activity under paragraph (2)(ii)1 and 2 of this subsection during a license year.

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

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

1. To provide services as:

A. A fishing guide in the tidal waters of Maryland - \$50 for a resident and \$100 for a nonresident; and

B. A master fishing guide, in addition to the fee under item A of this item - \$50 per vessel

- title:
2. To catch for sale fish with equipment which is legal under this
- A. Finfish:
- I. Hook and line only, anywhere: \$37.50
- II. All other equipment: \$100
- B. Crabs:
- I. Up to 50 pots, trotlines, nets, dip nets, traps, pounds, and
scrapes: \$50
- II. Over 50 pots, plus any other gear listed in item I of this sub-
sub-subparagraph: \$150
- C. Clams - \$100
- D. Oysters - \$250 for a dredge boat and \$50 for other than a
dredge boat
- E. Conch, turtles, and lobster - \$50
- F. For all activities in item 1A of this subparagraph and in items A
through E of this item, unlimited tidal fish - \$300

(g) (1) Notwithstanding any other provision of this section, the Department may issue an apprenticeship permit for any activity under subsection (d)(2)(ii)1 or 2 of this section to a person who currently resides and has resided for at least 5 years on an island in the State that is at least 3 miles from the mainland.

(2) The Department shall set by regulation targets for the number of tidal fish license authorizations under subsection (d)(2)(ii) of this section to be the number issued OR RENEWABLE between September 1, 1998 and March 31, 1999. The Department may modify by regulation the target number of authorizations based on:

(I) THE NUMBER OF TIDAL FISHING LICENSES WITH A MINIMUM OF 3 LICENSE AUTHORIZATIONS UNDER SUBSECTION (D)(2)(II) OF THIS SECTION, 1 OF WHICH IS A CRABBING AUTHORIZATION, RELINQUISHED ANNUALLY TO THE DEPARTMENT FOR CONVERSION TO AN UNLIMITED TIDAL FISHING LICENSE;

[(i)] (II) Recommendations of the Tidal Fisheries Advisory Commission;

[(ii)] (III) Recommendations of fishery management plans adopted by the Department, the Chesapeake Bay Program, the Atlantic States Marine Fisheries Commission, the Mid-Atlantic Fisheries Management Council, or any other appropriate management body;

[(iii)] (IV) The number of people historically participating; and

[(iv)] (V) Target species, size, number, weight, incidental catch, total biomass, annual harvest, mortality rates, and other factors which are necessary and appropriate.

4-701.1.

(g) (4) (i) An applicant for an apprenticeship permit may begin to complete the requirements of paragraphs (1), (2), and (3) of this subsection, if the applicant posts the fee for the apprenticeship permit.

(ii) This paragraph does not alter an applicant's position on the waiting list established under subsection (e)(3) of this section.

(iii) An applicant shall be issued an apprenticeship permit in accordance with subsection (e)(4) of this section.

(iv) An applicant may be credited with the completed requirements that were accrued and documented in accordance with paragraph (2) of this subsection before being issued an apprenticeship permit.

Chapter 418 of the Acts of 1998

SECTION 14. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect June 1, 1998. [It shall remain effective until December 31, 2000, and, at the end of December 31, 2000, with no further action required by the General Assembly, Section 4 shall be abrogated and of no further force and effect. After the termination of Section 4 of this Act, a person may continue to be credited with practical experience accrued in accordance with the provisions of § 4-701.1(g) of the Natural Resources Article as enacted by Section 2 of this Act who had begun to complete the requirements of the apprenticeship program under Section 4 of this Act.]

Chapter 419 of the Acts of 1998

SECTION 7. AND BE IT FURTHER ENACTED, That the Department of Natural Resources may convert a tidal fish license with a minimum of three authorizations, one of which shall be a crabbing authorization, to an unlimited tidal fish license at the time of renewal for the license year beginning ON September 1, 1998, AND EACH YEAR THEREAFTER, and upon completion of application and payment of appropriate fees. The licensee shall relinquish current authorizations to the Department and may not permanently transfer authorization to another person.

SECTION 14. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect June 1, 1998. [It shall remain effective until December 31, 2000 and, at the end of December 31, 2000, with no further action required by the General Assembly, Section 4 shall be abrogated and of no further force and effect. After the termination of Section 4 of this Act, a person may continue to be credited with practical experience accrued in accordance with the provisions of § 4-701.1(g) of the Natural Resources Article as enacted by Section 2 of this Act who had begun to complete the requirements of the apprenticeship program under Section 4 of this Act.]”;

in line 23, strike “2.” and substitute “3.”; in the same line, after “That” insert “Section 1 of”; and after line 24, insert:

(Over)

“SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect July 1, 1999.”.