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By: **Delegate Schisler**  
Introduced and read first time: February 10, 1999  
Assigned to: Environmental Matters

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 2, 1999

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Fisheries Management - Limited Entry to the Commercial Fishery - Tidal**  
3 **Fish Licenses**

4 FOR the purpose of adding certain criteria under which the Department of Natural  
5 Resources may modify a certain target number of fishing license authorizations;  
6 altering the method that the Department is required to use to set the targets for  
7 the number of tidal fishing license authorizations to be issued; repealing the  
8 termination date of certain provisions relating to applicants for apprenticeship  
9 permits in connection with tidal fish licenses; extending the date from which the  
10 Department of Natural Resources may convert a tidal fish license to an  
11 unlimited tidal fish license; and generally relating to tidal fish licenses.

12 BY repealing and reenacting, without amendments,  
13 Article - Natural Resources  
14 Section 4-701(d)(1) and (2)(i) and (ii)1. and 2. and (g)(1) and 4-701.1(g)(4)  
15 Annotated Code of Maryland  
16 (1997 Replacement Volume and 1998 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article - Natural Resources  
19 Section 4-701(g)(2)  
20 Annotated Code of Maryland  
21 (1997 Replacement Volume and 1998 Supplement)

22 BY repealing and reenacting, with amendments,  
23 Chapter 418 of the Acts of the General Assembly of 1998



1                                   D.     Oysters - \$250 for a dredge boat and \$50 for other than a  
2 dredge boat

3                                   E.     Conch, turtles, and lobster - \$50

4                                   F.     For all activities in item 1A of this subparagraph and in  
5 items A through E of this item, unlimited tidal fish - \$300

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

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

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

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

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

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

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

28 4-701.1.

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

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

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

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

4 **Chapter 418 of the Acts of 1998**

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

14 **Chapter 419 of the Acts of 1998**

15 SECTION 7. AND BE IT FURTHER ENACTED, That the Department of  
16 Natural Resources may convert a tidal fish license with a minimum of three  
17 authorizations, one of which shall be a crabbing authorization, to an unlimited tidal  
18 fish license at the time of renewal for the license year beginning ON September 1,  
19 1998, AND EACH YEAR THEREAFTER, and upon completion of application and  
20 payment of appropriate fees. The licensee shall relinquish current authorizations to  
21 the Department and may not permanently transfer authorization to another person.

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

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 ~~October~~ July 1, 1999.