
By: **Delegates Bozman and Cane**
Introduced and read first time: February 11, 2000
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Fishery Management Plans - Chesapeake Bay and**
3 **Coastal Bays**

4 FOR the purpose of requiring the Department of Natural Resources to prepare
5 fishery management plans that apply to the Chesapeake Bay and its
6 tributaries, the coastal bays and their tributaries, and the Atlantic Ocean;
7 prohibiting the Department from adopting regulations until the Department
8 holds certain public hearings; and generally relating to fishery management
9 plans.

10 BY repealing and reenacting, with amendments,
11 Article - Natural Resources
12 Section 4-215(d) and (g)
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 1999 Supplement)

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

17 **Article - Natural Resources**

18 4-215.

19 (d) A fishery management plan SHALL APPLY TO THE WATERS OF THE
20 CHESAPEAKE BAY AND ITS TIDAL TRIBUTARIES, THE COASTAL BAYS AND THEIR
21 TRIBUTARIES, AND THE MARYLAND WATERS OF THE ATLANTIC OCEAN AND shall
22 include:

23 (1) The best available estimates of sustainable harvest rates;

24 (2) Indicators that would trigger any tightening or loosening of harvest
25 restrictions;

26 (3) A description of the fishery, including:

1 (i) The history of the fishery, and its current condition relative to
2 historic populations;

3 (ii) The numbers of potential commercial and recreational
4 fishermen projected to participate in the fishery;

5 (iii) The type and quantity of fishing gear used commercially;

6 (iv) Where practicable, the cost likely to be incurred in the
7 management of the fishery; and

8 (v) The actual and potential revenues from the recreational and
9 commercial fishery; and

10 (4) Other pertinent data that will assist the Secretary in determining
11 conservation and management measures reasonably necessary to ensure that the
12 fishery resources will be sustained.

13 (g) (1) (i) The Secretary shall adopt the proposed management plans and
14 any proposed conservation and management measures by regulation.

15 (ii) The Secretary may adopt conservation and management
16 measures in separate proceedings and by separate regulations. Conservation and
17 management measures adopted separately may include changes to those proposed or
18 adopted in a fishery management plan and any additional measures necessary to
19 carry out the adopted plan.

20 (2) THE REGULATIONS OF THE DEPARTMENT MAY NOT BECOME
21 EFFECTIVE UNDER THIS SECTION UNTIL THE DEPARTMENT FIRST HOLDS PUBLIC
22 HEARINGS IN WORCESTER COUNTY.

23 (3) All notices of public hearings required for the adoption of regulations
24 under this section shall be printed in the Maryland Register and further publicized so
25 as to provide reasonable notice to the affected communities of fishermen and the
26 public.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2000.