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By: **Delegate Schisler**

Introduced and read first time: February 21, 2000

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Fisheries Management - Tidal Fish Licenses - Authorizations**

3 FOR the purpose of adding certain criteria under which the Department of Natural  
4 Resources may modify a certain target number of fishing license authorizations;  
5 establishing a procedure for a certain licensee to relinquish certain  
6 authorizations and receive a certain authorization; requiring the Department to  
7 make a certain adjustment to the number of certain authorizations; and  
8 generally relating to tidal fish licenses.

9 BY repealing and reenacting, without amendments,  
10 Article - Natural Resources  
11 Section 4-701(d)(1) and (2)(i) and (ii)1. and 2. and (g)(1)  
12 Annotated Code of Maryland  
13 (1997 Replacement Volume and 1999 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article - Natural Resources  
16 Section 4-701(g)(2)  
17 Annotated Code of Maryland  
18 (1997 Replacement Volume and 1999 Supplement)

19 BY adding to  
20 Article - Natural Resources  
21 Section 4-701(j-1)  
22 Annotated Code of Maryland  
23 (1997 Replacement Volume and 1999 Supplement)

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

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**Article - Natural Resources**

2 4-701.

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

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

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

- 11 1. To provide services as:
- 12 A. A fishing guide in the tidal waters of Maryland - \$50 for a  
13 resident and \$100 for a nonresident; and
- 14 B. A master fishing guide, in addition to the fee under item A  
15 of this item - \$50 per vessel
- 16 2. To catch for sale fish with equipment which is legal under  
17 this title:
- 18 A. Finfish:
- 19 I. Hook and line only, anywhere: \$37.50
- 20 II. All other equipment: \$100
- 21 B. Crabs:
- 22 I. Up to 50 pots, trotlines, nets, dip nets, traps, pounds, and  
23 scrapes: \$50
- 24 II. Over 50 pots, plus any other gear listed in item I of this  
25 sub-sub-subparagraph: \$150
- 26 C. Clams - \$100
- 27 D. Oysters - \$250 for a dredge boat and \$50 for other than a  
28 dredge boat
- 29 E. Conch, turtles, and lobster - \$50
- 30 F. For all activities in item 1A of this subparagraph and in  
31 items A through E of this item, unlimited tidal fish - \$300

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

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

9 (i) Recommendations of the Tidal Fisheries Advisory Commission;

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

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

15 (iv) Target species, size, number, weight, incidental catch, total  
16 biomass, annual harvest, mortality rates, and other factors which are necessary and  
17 appropriate; AND

18 (V) THE NUMBER OF AUTHORIZATIONS RELINQUISHED TO THE  
19 DEPARTMENT UNDER SUBSECTION (J-1) OF THIS SECTION.

20 (J-1) (1) AT THE TIME OF LICENSE RENEWAL, A LICENSEE WHO POSSESSES  
21 THREE OR MORE AUTHORIZATIONS UNDER SUBSECTION (D)(2)(II)1 AND 2A THROUGH  
22 E OF THIS SECTION MAY RELINQUISH EACH AUTHORIZATION AND RECEIVE AN  
23 AUTHORIZATION UNDER SUBSECTION (D)(2)(II)2F OF THIS SECTION.

24 (2) THE DEPARTMENT SHALL ADJUST THE NUMBER OF  
25 AUTHORIZATIONS UNDER SUBSECTION (D)(2)(II) OF THIS SECTION TO REFLECT THE  
26 NUMBER OF LICENSE CONVERSIONS UNDER PARAGRAPH (1) OF THIS SUBSECTION.

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