

SENATE BILL 313

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2000 Regular Session
0lr1814
CF 0lr2339

By: **Senator Stoltzfus**
Introduced and read first time: February 1, 2000
Assigned to: Economic and Environmental Affairs

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 public hearings; and generally relating to fishery management plans.

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

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

16 **Article - Natural Resources**

17 4-215.

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

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

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

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

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

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

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

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

6 (v) The actual and potential revenues from the recreational and
7 commercial fishery; and

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

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

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

18 (2) THE REGULATIONS OF THE DEPARTMENT MAY NOT BECOME
19 EFFECTIVE UNDER THIS SECTION UNTIL THE DEPARTMENT FIRST HOLDS PUBLIC
20 HEARINGS.

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

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