
By: **Delegate O'Donnell**
Introduced and read first time: February 1, 2001
Assigned to: Environmental Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 19, 2001

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources - Tidal Fish License - Exemption for Live Bait Harvesters**
3 **and Dealers**

4 FOR the purpose of exempting certain persons engaged in certain commercial activity
5 involving certain finfish from obtaining a certain license; requiring the
6 Department of Natural Resources to conduct a certain study and provide a
7 certain report by a certain date and in a certain manner; and generally relating
8 to tidal fish licenses and an exemption for live bait harvesters and dealers.

9 BY repealing and reenacting, with amendments,
10 Article - Natural Resources
11 Section 4-702
12 Annotated Code of Maryland
13 (2000 Replacement Volume)

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 4-702.

18 (a) Except as provided in subsection (b), a person may not buy, sell, ship,
19 transport, or otherwise deal in finfish unless the person is licensed by the
20 Department.

21 (b) The following persons are not required to obtain a license under this
22 section:

- 1 (1) A person licensed by the Department to catch finfish for sale;
- 2 (2) A retail market, restaurant, or other establishment where finfish are
3 sold or served to ultimate consumers, and not for resale;
- 4 (3) A person who buys finfish for personal use or consumption[.]; OR
- 5 (4) A PERSON WHO CATCHES OR SELLS FINFISH FOR USE AS LIVE BAIT,
6 LIMITED TO:
- 7 (I) FISH NOT SUBJECT TO A FISHERIES MANAGEMENT PLAN IN
8 ACCORDANCE WITH § 4-215 OF THIS TITLE; AND
- 9 (II) FISH NOT OTHERWISE REGULATED BY THE DEPARTMENT.

10 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of
11 Natural Resources shall conduct a study of bait fish harvested and sold in Maryland
12 to determine the impact of harvesting bait fish on the ecosystem of the Chesapeake
13 Bay. The Department shall report on this study on or before December 1, 2002 to the
14 Senate Economic and Environmental Affairs Committee, the House Environmental
15 Matters Committee, and, in accordance with § 2-1246 of the State Government
16 Article, the General Assembly and include recommendations for the management or
17 regulation of bait fish harvested or sold in Maryland.

18 SECTION 2. 3. AND BE IT FURTHER ENACTED, That this Act shall take
19 effect October 1, 2001.