

SENATE BILL 84

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(PRE-FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Natural Resources)**

Requested: October 22, 2009

Introduced and read first time: January 13, 2010

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Tidal Fisheries Advisory Commission – Sport Fisheries Advisory Commission**
3 **– Membership**

4 FOR the purpose of staggering the terms for the membership of the Tidal Fisheries
5 Advisory Commission and the Sport Fisheries Advisory Commission; expanding
6 the membership of the Sport Fisheries Advisory Commission; specifying the
7 terms of the members of the commissions; and generally relating to the
8 membership of the Tidal Fisheries Advisory Commission and Sport Fisheries
9 Advisory Commissions in the Department of Natural Resources.

10 BY repealing and reenacting, with amendments,
11 Article – Natural Resources
12 Section 4–204(a) and (b)
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2009 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 4–204.

19 (a) (1) There is a Tidal Fisheries Advisory Commission in the
20 Department.

21 (2) The Commission is composed of up to 12 members appointed and
22 serving in accordance with the procedures adopted under § 1–102(c) of this article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) Up to eleven commercial watermen and one member of the Sports
2 Fisheries Advisory Commission shall comprise the Commission.

3 (4) The term of a member is 2 years.

4 **(5) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY**
5 **THE TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON JULY 1, 2010.**

6 **(6) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE**
7 **UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

8 **(7) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN**
9 **SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS**
10 **APPOINTED AND QUALIFIES.**

11 (b) (1) There is a Sport Fisheries Advisory Commission in the
12 Department.

13 (2) The Commission shall provide the Department advice on
14 recreational fisheries matters.

15 (3) The Commission is composed of [12] 15 members appointed and
16 serving in accordance with the provisions of § 1-102(c) of this article. The experience
17 and backgrounds of Commission members shall represent the diversified angling
18 interests and waters of the State.

19 (4) (i) The term of a member is 4 years and a member may be
20 reappointed.

21 **(II) THE TERMS OF MEMBERS ARE STAGGERED AS**
22 **REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON**
23 **JULY 1, 2010.**

24 [(ii)] **(III)** At the end of a term, a member continues to serve
25 until a successor is appointed and qualifies.

26 [(iii)] **(IV)** A member who is appointed after a term has begun
27 serves only for the rest of the term and until a successor is appointed and qualifies.

28 SECTION 2. AND BE IT FURTHER ENACTED, That beginning with the term
29 that began on July 22, 2009:

30 (1) the terms of five of the members of the Tidal Fisheries Advisory
31 Commission shall expire on June 30, 2011; and

32 (2) the terms of the remaining members shall expire on June 30, 2013.

1 SECTION 3. AND BE IT FURTHER ENACTED, That:

2 (1) beginning with the term that began on July 20, 2009:

3 (i) the terms of six of the existing members of the Sport
4 Fisheries Advisory Commission shall expire on June 30, 2011; and

5 (ii) the terms of the remaining six existing members shall expire
6 on June 30, 2013; and

7 (2) the initial terms of the new members appointed in accordance with
8 § 4-204(b)(3) of the Natural Resources Article, as enacted by Section 1 of this Act,
9 shall expire June 30, 2013.

10 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 July 1, 2010.