

SENATE BILL 84

M1

0lr0016

(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

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 9, 2010

CHAPTER _____

1 AN ACT concerning

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

4 FOR the purpose of expanding the maximum number of members of the Tidal
5 Fisheries Advisory Commission; requiring the composition of the Tidal Fisheries
6 Advisory Commission to reflect the geographic regions of the State where the
7 commercial fishing industry is operating; staggering the terms for the
8 membership of the Tidal Fisheries Advisory Commission and the Sport
9 Fisheries Advisory Commission; expanding the membership of the Sport
10 Fisheries Advisory Commission; specifying the terms of the members of the
11 commissions; and generally relating to the membership of the Tidal Fisheries
12 Advisory Commission and Sport Fisheries Advisory Commissions in the
13 Department of Natural Resources.

14 BY repealing and reenacting, with amendments,
15 Article – Natural Resources
16 Section 4–204(a) and (b)
17 Annotated Code of Maryland
18 (2005 Replacement Volume and 2009 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Natural Resources**

2 4–204.

3 (a) (1) There is a Tidal Fisheries Advisory Commission in the
4 Department.5 (2) The Commission is composed of up to ~~12~~ **15** members appointed
6 and serving in accordance with the procedures adopted under § 1–102(c) of this article.7 (3) **(I)** Up to ~~eleven~~ **14** commercial watermen and one member of
8 the Sports Fisheries Advisory Commission shall comprise the Commission.9 **(II) THE COMPOSITION OF THE COMMISSION SHALL**
10 **REFLECT THE GEOGRAPHIC REGIONS OF THE STATE WHERE THE COMMERCIAL**
11 **FISHING INDUSTRY IS OPERATING.**

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

13 **(5) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY**
14 **THE TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON JULY 1, 2010.**15 **(6) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE**
16 **UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**17 **(7) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN**
18 **SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS**
19 **APPOINTED AND QUALIFIES.**20 (b) (1) There is a Sport Fisheries Advisory Commission in the
21 Department.22 (2) The Commission shall provide the Department advice on
23 recreational fisheries matters.24 (3) The Commission is composed of [12] **15** members appointed and
25 serving in accordance with the provisions of § 1–102(c) of this article. The experience
26 and backgrounds of Commission members shall represent the diversified angling
27 interests and waters of the State.28 (4) (i) The term of a member is 4 years and a member may be
29 reappointed.30 **(II) THE TERMS OF MEMBERS ARE STAGGERED AS**
31 **REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON**
32 **JULY 1, 2010.**

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

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

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

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

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

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

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

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

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

16 (2) the initial terms of the new members appointed in accordance with
17 § 4–204(b)(3) of the Natural Resources Article, as enacted by Section 1 of this Act,
18 shall expire June 30, 2013.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.