

HOUSE BILL 478

M2

2lr1391
CF SB 385

By: **Delegates Jacobs, Boteler, Eckardt, Glass, Haddaway–Ricchio, Hershey, McDermott, Smigiel, and Weir**

Introduced and read first time: February 2, 2012

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Removal of Abandoned Fishing Nets**

3 FOR the purpose of requiring the Department of Natural Resources to remove from
4 the waters of the State and dispose of any abandoned fishing net found by or
5 reported to the Department within a certain time period; and generally relating
6 to abandoned fishing nets in the waters of the State.

7 BY repealing and reenacting, with amendments,

8 Article – Natural Resources

9 Section 4–205

10 Annotated Code of Maryland

11 (2005 Replacement Volume and 2011 Supplement)

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

14 **Article – Natural Resources**

15 4–205.

16 (a) The Department may operate, sell, buy, lease, exchange, rent, or repair
17 any vehicle, vessel, boat, net, or other equipment necessary for its work. It may equip
18 a vehicle, vessel, or boat, which it owns or operates, with any required arms,
19 ammunition, or equipment. The Department’s authority under this subsection is
20 subject to the provisions of law concerning budget and procurement.

21 (b) The Department may contract for research or scientific investigation with
22 the Natural Resources Institute of the University of Maryland, the Chesapeake Bay
23 Institute of the Johns Hopkins University, or any other appropriate research
24 organization.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) The Department, in accordance with the provisions of this title, may
2 conduct demonstrations of extended duration to improve fisheries and for any other
3 purpose necessary to carry out its duties. The Department also may import fish or any
4 other organism of any variety for experimental purposes.

5 (d) The Department shall inspect fish caught or sold in the State and enforce
6 the cull laws and other protective measures. This subsection may not be construed to
7 interfere with any inspections made by the Department of Health and Mental
8 Hygiene.

9 (e) The Department shall inspect the waters of the State in order to stock
10 them with food fish which in its judgment are most advantageous.

11 (f) The Department may negotiate any agreement with any other state
12 concerning catching fish, the size of fish, and opening and closing fishing seasons.

13 (g) The Department may use any funds the federal government makes
14 available, and any gift, for any purpose necessary to rehabilitate the seafood industry,
15 subject to budgetary limitations.

16 (h) The Department may establish and conduct an extension service for
17 persons engaged in seafood production to apprise them of the Department's objectives
18 and programs, the principles of natural resources conservation and management,
19 current problems affecting seafood production, and any other matter considered
20 significant in development of full potential of the State's seafood resources.

21 (i) The Department may issue a new commercial fishing license when the
22 license is forfeited.

23 (j) The Department may define the boundaries of tidal and nontidal waters
24 within the jurisdiction of the State, and promulgate them by rule or regulation.

25 (k) The Department shall propose a separate fisheries resource management
26 program and shall make recommendations to the General Assembly for legislation for
27 implementation of the program for the following bodies of water and their tributaries:

28 (1) Assawoman Bay and the Isle of Wight;

29 (2) Chincoteague Bay;

30 (3) Sinepuxent Bay;

31 (4) St. Martin River; and

32 (5) Atlantic Ocean adjacent to Worcester County.

1 (1) (1) The Department shall require an applicant for any recreational
2 license under this title to provide the applicant's Social Security number, if the
3 applicant has a Social Security number.

4 (2) Except as provided in § 10-617 of the State Government Article,
5 the Social Security number of an applicant may not be disclosed as part of the public
6 record of the application.

7 **(M) THE DEPARTMENT SHALL REMOVE FROM THE WATERS OF THE**
8 **STATE AND DISPOSE OF ANY ABANDONED FISHING NET FOUND BY OR**
9 **REPORTED TO THE DEPARTMENT WITHIN 1 DAY AFTER THE NET IS FOUND OR**
10 **REPORTED.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 June 1, 2012.