

HOUSE BILL 911

M2

2lr2555

By: **Delegate Jacobs**

Introduced and read first time: February 10, 2012

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Commercial Fishing – Crabs and Striped Bass**

3 FOR the purpose of prohibiting a tidal fish licensee who is authorized to fish for
4 striped bass and catch crabs for commercial purposes from fishing for striped
5 bass using a hook and line and catching crabs in any manner at the same time;
6 and generally relating to commercial fishing for striped bass and crabs.

7 BY repealing and reenacting, with amendments,
8 Article – Natural Resources
9 Section 4–701(b)
10 Annotated Code of Maryland
11 (2005 Replacement Volume and 2011 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article – Natural Resources
14 Section 4–701(c), (d), and (e)(1)
15 Annotated Code of Maryland
16 (2005 Replacement Volume and 2011 Supplement)

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

19 **Article – Natural Resources**

20 4–701.

21 (b) (1) The Department shall utilize a single, commercial license, to be
22 known and designated as a tidal fish license.

23 (2) A tidal fish license authorizes a licensee:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) To engage in each activity indicated on the license; and

2 (ii) For catching crabs, to utilize the number of crew members
3 indicated on the license.

4 (3) Except for a person receiving a license under subsection (i)(2)(ii) of
5 this section, the Department may not issue a tidal fish license to an individual who is
6 younger than 14 years of age.

7 (4) A person may not guide fishing parties or catch, sell, buy, process,
8 transport, export, or otherwise deal in fish caught in tidal waters unless licensed
9 under this section.

10 **(5) A LICENSEE WHO IS AUTHORIZED TO FISH FOR STRIPED BASS**
11 **AND CRABS FOR COMMERCIAL PURPOSES MAY NOT AT THE SAME TIME:**

12 **(I) FISH FOR STRIPED BASS USING A HOOK AND LINE; AND**

13 **(II) CATCH CRABS IN ANY MANNER.**

14 (c) (1) The license year for every tidal fish license shall be 12 months from
15 September 1 through August 31 of the following year.

16 (2) A licensee and crew members may engage only in those activities
17 for which the annual fees for that license year have been paid.

18 (d) (1) The Department may issue no more than one authorization to a
19 person to engage in each activity under paragraph (2)(i)1 and 2 of this subsection
20 during a license year.

21 (2) (i) On a tidal fish license, the Department may issue an
22 authorization for any of the following activities for which the indicated fee has been
23 paid.

24 (ii) The following annual fees for an authorization shall apply
25 regardless of when the license is issued or an activity is authorized:

26 1. To provide services as:

27 A. A fishing guide in the tidal waters of Maryland – \$50
28 for a resident and \$100 for a nonresident; and

29 B. A master fishing guide, in addition to the fee under
30 item A of this item – \$50 per vessel

1
2 under this title:

2. To catch for sale fish with equipment which is legal

3 A. Finfish:

4 I. Hook and line only, anywhere: \$37.50

5 II. All other equipment: \$100

6 B. Crabs:

7 I. Up to 50 pots, trotlines, nets, dip nets, traps, pounds,
8 and scrapes: \$50

9 II. Over 50 pots, plus any other gear listed in item I of
10 this sub-sub-paragraph: \$150

11 C. Clams – \$100

12 D. Oysters – \$250 for a dredge boat and \$50 for other
13 than a dredge boat

14 E. Conch, turtles, and lobster – \$50

15 F. For all activities in item 1A of this subparagraph and
16 in items A through E of this item, unlimited tidal fish – \$300

17 3. For one or two crew members employed under § 4-814
18 of this title to enable a licensee to catch crabs under subparagraph (ii)2BII and F of
19 this paragraph with more than 300 pots, the licensee shall pay \$20 for each crew
20 member.

21 4. Except for a licensee dealing in his own catch, for a
22 person to buy, process, pack, resell, market or otherwise deal in fish caught in the tidal
23 waters of Maryland, seafood dealer – \$150

24 5. For a person who is not licensed under this section to
25 land fish caught in out-of-state tidal waters, seafood landing – \$150

26 (e) (1) To catch striped bass for sale:

27 (i) A licensee authorized under subsection (d)(2)(ii)2A of this
28 section shall pay an annual surcharge of \$200; or

29 (ii) A licensee authorized under subsection (d)(2)(ii)2F of this
30 section shall pay with the license fee an annual surcharge of \$100.

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