

HOUSE BILL 1287

M2

5lr3115

By: **Delegate O'Donnell**

Rules suspended

Introduced and read first time: March 13, 2015

Assigned to: Rules and Executive Nominations

Re-referred to: Environment and Transportation, March 24, 2015

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 26, 2015

CHAPTER _____

1 AN ACT concerning

2 **Tidal Fisheries Advisory Commission and Sport Fisheries Advisory Commission**
3 **- Membership**

4 FOR the purpose of altering the composition of the Tidal Fisheries Advisory Commission
5 and the Sport Fisheries Advisory Commission; requiring the Governor, with the
6 advice of the Secretary of Natural Resources, to appoint a ~~member of the Maryland~~
7 ~~Shellfish Growers Association~~ representative of the aquaculture industry in the
8 State to both the Tidal Fisheries Advisory Commission and the Sport Fisheries
9 Advisory Commission; providing for the terms of the membership of the Tidal
10 Fisheries Advisory Commission and the Sport Fisheries Advisory Commission;
11 making certain stylistic changes; and generally relating to the membership of the
12 Tidal Fisheries Advisory Commission and the Sport Fisheries Advisory Commission
13 in the Department of Natural Resources.

14 BY repealing and reenacting, without amendments,
15 Article – Natural Resources
16 Section 1–102(c)(1) and (3) through (6)
17 Annotated Code of Maryland
18 (2012 Replacement Volume and 2014 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – Natural Resources
21 Section 4–204(a) and (b)

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 Annotated Code of Maryland
2 (2012 Replacement Volume and 2014 Supplement)

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

5 **Article – Natural Resources**

6 1–102.

7 (c) (1) Unless otherwise provided by this article, each advisory commission
8 created by law consists of five members appointed by the Governor, with the advice of the
9 Secretary, to serve at the pleasure of the Governor.

10 (3) A member shall be knowledgeable in the area of interest of the advisory
11 commission on which he serves.

12 (4) Each advisory commission shall advise the Secretary or the
13 administration of the appropriate Department unit, pursuant to rules and regulations the
14 Secretary adopts.

15 (5) The members of each advisory commission annually shall elect a
16 chairman of the commission and may adopt procedures to conduct its meetings.

17 (6) An advisory commission member receives the compensation provided
18 in the Department budget. Every member shall be reimbursed for necessary travel
19 expenses incurred in performing any official duty, pursuant to rules and regulations the
20 Secretary adopts.

21 4–204.

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

23 (2) The Commission is composed of up to **[15] 16** members appointed and
24 serving in accordance with the procedures adopted under § 1–102(c) of this article.

25 (3) (i) **THE COMMISSION CONSISTS OF:**

26 1. Up to 14 commercial watermen [and one];

27 2. **ONE** member of the Sport Fisheries Advisory Commission
28 [shall comprise the Commission]; **AND**

29 3. **ONE** ~~MEMBER OF THE MARYLAND SHELLFISH~~
30 ~~GROWERS ASSOCIATION~~ REPRESENTATIVE OF THE AQUACULTURE INDUSTRY IN
31 THE STATE.

1 (ii) The composition of the Commission shall reflect the geographic
2 regions of the State where the commercial fishing industry is operating.

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

4 (5) The terms of members are staggered as required by the terms provided
5 for members of the Commission on July 1, [2010] **2015**.

6 (6) At the end of a term, a member continues to serve until a successor is
7 appointed and qualifies.

8 (7) A member who is appointed after a term has begun serves only for the
9 rest of the term and until a successor is appointed and qualifies.

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

11 (2) The Commission shall provide the Department advice on recreational
12 fisheries matters.

13 (3) (i) The Commission is composed of [16] **17** members appointed and
14 serving in accordance with the provisions of § 1-102(c) of this article[, including one].

15 **(II) THE COMMISSION SHALL INCLUDE:**

16 **1. ONE** member of the Tidal Fisheries Advisory Commission
17 who is not the representative of the Sport Fisheries Advisory Commission serving on the
18 Tidal Fisheries Advisory Commission under subsection (a)(3)(i) of this section; **AND**

19 **2. ONE ~~MEMBER OF THE MARYLAND SHELLFISH~~**
20 **~~GROWERS ASSOCIATION~~ REPRESENTATIVE OF THE AQUACULTURE INDUSTRY IN**
21 **THE STATE.**

22 [(ii)] **(III)** The experience and backgrounds of Commission members
23 shall represent the diversified angling interests and waters of the State.

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

26 (ii) The terms of members are staggered as required by the terms
27 provided for members of the Commission on July 1, [2010] **2015**.

28 (iii) At the end of a term, a member continues to serve until a
29 successor is appointed and qualifies.

1 (iv) A member who is appointed after a term has begun serves only
2 for the rest of the term and until a successor is appointed and qualifies.

3 SECTION 2. AND BE IT FURTHER ENACTED, That:

4 (1) the initial term of the new member appointed to the Tidal Fisheries
5 Advisory Commission in accordance with § 4–204(a)(3) of the Natural Resources Article, as
6 enacted by Section 1 of this Act, shall begin July 1, 2015, and expire June 30, 2017; and

7 (2) the initial term of the new member appointed to the Sport Fisheries
8 Advisory Commission in accordance with § 4–204(b)(3) of the Natural Resources Article, as
9 enacted by Section 1 of this Act, shall begin July 1, 2015, and expire June 30, 2019.

10 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
11 1, 2015.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.