

HOUSE BILL 1024

M2
HB 1547/18 – ENV

9lr2118

By: **Delegate Mautz**

Introduced and read first time: February 8, 2019

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Crabbing Authorizations – Reciprocity**

3 FOR the purpose of prohibiting the Department of Natural Resources from issuing an
4 authorization to catch crabs to a nonresident unless the state of residence of the
5 nonresident issues a like crabbing license or authorization and makes the crabbing
6 license or authorization available to Maryland residents; and generally relating to
7 reciprocity for the issuance of crabbing authorizations.

8 BY repealing and reenacting, without amendments,

9 Article – Natural Resources
10 Section 4–701(a) through (c)
11 Annotated Code of Maryland
12 (2018 Replacement Volume)

13 BY repealing and reenacting, with amendments,

14 Article – Natural Resources
15 Section 4–701(d)
16 Annotated Code of Maryland
17 (2018 Replacement Volume)

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

20 **Article – Natural Resources**

21 4–701.

22 (a) Except as provided in § 4–701.1 of this subtitle, this section applies to any
23 person who is required under this subtitle or Subtitle 2, 8, 9, or 10 of this title to be licensed
24 to guide fishing parties or to catch, sell, buy, process, transport, export, or otherwise deal
25 in fish caught in tidal waters.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) Except as provided in § 4-701.1 of this subtitle, the Department shall
2 utilize a single, commercial license, to be known and designated as a tidal fish license.

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

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

5 (ii) For catching blue crabs, to utilize the number of crew members
6 authorized under § 4-814 of this title.

7 (3) Except for a person receiving a license as a beneficiary of a deceased
8 licensee under subsection (k)(4)(i) of this section, the Department may not issue a tidal fish
9 license to an individual who is younger than 14 years of age.

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

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

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

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

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

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

24 1. To provide services as:

25 A. A fishing guide in the tidal waters of Maryland – \$100 for
26 a resident and \$200 for a nonresident; and

27 B. A master fishing guide, in addition to the fee under item
28 A of this item – \$100 per vessel

29 2. To catch for sale fish with equipment which is legal under
30 this title:

31 A. Finfish:

- 1 I. Hook and line only, anywhere: \$100
- 2 II. All other equipment: \$150
- 3 B. Blue crabs:
- 4 I. Up to 50 pots, trotlines, nets, dip nets, traps, pounds, and
5 scrapes: \$100
- 6 II. Over 50 pots, plus any other gear listed in item I of this
7 item: \$150
- 8 C. Clams – \$100
- 9 D. Oysters – \$250 for a dredge boat and \$100 for other than
10 a dredge boat
- 11 E. Conch, turtles, lobster, and all crabs of the genus Cancer
12 – \$100
- 13 F. For all activities in item 1A of this subparagraph and in
14 items A through E of this item, unlimited tidal fish – \$300
- 15 3. For one or two crew members employed under § 4–814 of
16 this title to enable a licensee to catch blue crabs under item 2BII and F of this subparagraph
17 with more than 300 pots, the licensee shall pay an additional:
- 18 A. \$100 for up to 600 pots total per vessel; or
- 19 B. \$150 for up to 900 pots total per vessel.
- 20 4. For a person to buy, process, pack, resell, market or
21 otherwise deal in fish caught in the tidal waters of Maryland, seafood dealer:
- 22 A. \$50 for a person licensed under item 2 of this
23 subparagraph or § 4–701.1 of this subtitle; or
- 24 B. \$250 for a person not licensed under item 2 of this
25 subparagraph.
- 26 5. For a person who is not licensed under this section to land
27 fish caught in out-of-state tidal waters, seafood landing – \$350

28 **(3) THE DEPARTMENT MAY NOT ISSUE AN AUTHORIZATION TO CATCH**
29 **CRABS TO A NONRESIDENT UNLESS THE STATE OF RESIDENCE OF THE**
30 **NONRESIDENT:**

1 **(I) ISSUES A LIKE CRABBING LICENSE OR AUTHORIZATION;**
2 **AND**

3 **(II) MAKES THE CRABBING LICENSE OR AUTHORIZATION**
4 **AVAILABLE TO MARYLAND RESIDENTS.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2019.