

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 466

(Senator Carter)

Education, Health, and Environmental Affairs

Environment and Transportation

Potomac River Compact - Clarification of the Effectiveness of Amendments

This bill clarifies that specified amendments to the Potomac River Compact made by Chapter 144 of 2007 and Chapters 234 and 235 of 2013 are in effect. **The bill takes effect June 1, 2022.**

Fiscal Summary

State Effect: The bill does not directly affect State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The bill establishes that the State:

- considers the amendments to the Potomac River Compact made by Chapter 144 of 2007 and Chapters 234 and 235 of 2013 to be in effect because Virginia enacted identical amendments to the compact in Virginia Chapter 885 of 2007 and Virginia Chapters 635 and 688 of 2013;
- considers the enactment of Virginia Chapter 885 of 2007 and Virginia Chapters 635 and 688 of 2013 to have fulfilled the requirements in Chapter 144 of 2007 and Chapters 234 and 235 of 2013 that Virginia enact “a similar Act” before Chapter 144 and Chapters 234 and 235 can take effect; and

- considers the amendments to the compact made by Chapter 144 of 2007 and Chapters 234 and 235 of 2013 to be in effect despite the inclusion of additional amendments to the compact in Virginia Chapter 885 of 2007 and Virginia Chapter 635 of 2013 that have not been enacted by Maryland.

The Department of Legislative Services must notify the appropriate officials of Virginia of the enactment of the bill.

Current Law: The Potomac River Compact, an agreement between Maryland and Virginia, governs the Potomac River Fisheries Commission (PRFC). The commission regulates fisheries in the mainstem tidal Potomac River.

Chapters 144 of 2007 and Chapters 234 and 235 of 2013:

- increased the compensation of commissioners of PRFC from \$25 per day (or portion thereof) spent in the performance of their duties to up to \$250 per day (or portion thereof) spent in the performance of their duties, with a limit of \$1,500 per year;
- changed the allowable oyster inspection tax to up to \$2.00 per bushel and required the proceeds to be used solely for planting seed or shell oyster on working bottom; and
- increased the maximum fine for a violation of a regulation of the commission from \$1,000 to \$3,000.

Chapter 144 and Chapters 234 and 235 require that Virginia enact “a similar Act” before they can take effect. Chapters 234 and 235 are currently reflected in the Annotated Code of Maryland as in effect, but Chapter 144 is not.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 711 (Joint Committee on Federal Relations)(By Request) - Environment and Transportation.

Information Source(s): Department of Natural Resources; Department of Legislative Services

Fiscal Note History: First Reader - February 17, 2022
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