

SENATE BILL 186

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EMERGENCY BILL
(PRE-FILED)

5lr1155
CF HB 446

By: ~~Senator Bailey~~ Senators Bailey and Mautz

Requested: October 9, 2024

Introduced and read first time: January 8, 2025

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 24, 2025

CHAPTER _____

1 AN ACT concerning

2 ~~Commercial Blue and Flathead Catfish Finfish Trotline License Prohibited~~
3 ~~Regulations~~

4 Natural Resources – Invasive Blue Catfish Pilot Program

5 FOR the purpose of ~~prohibiting certain regulations adopted by the Department of Natural~~
6 ~~Resources from prohibiting the holder of a commercial blue and flathead catfish~~
7 ~~finfish trotline license from fishing in a certain part of the Chesapeake Bay; and~~
8 ~~generally relating to the commercial blue and flathead catfish finfish trotline license~~
9 establishing the Invasive Blue Catfish Pilot Program to curb the spread of the
10 invasive blue catfish in the Chesapeake Bay and its tributaries; and generally
11 relating to the establishment of the Invasive Blue Catfish Pilot Program.

12 ~~BY repealing and reenacting, with amendments,~~
13 ~~Article – Natural Resources~~
14 ~~Section 4-701.2~~
15 ~~Annotated Code of Maryland~~
16 ~~(2023 Replacement Volume and 2024 Supplement)~~

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

19 ~~Article – Natural Resources~~

20 ~~4-701.2.~~

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 ~~(a) There is a commercial blue and flathead catfish finfish trotline license.~~

2 ~~(b) (1) The license authorizes the holder to catch for sale blue and flathead~~
 3 ~~catfish in the tidal waters of the State using a finfish trotline, as defined in Department~~
 4 ~~regulations.~~

5 ~~(2) (I) A licensee shall fish in accordance with Department regulations.~~

6 ~~(H) REGULATIONS ADOPTED UNDER SUBPARAGRAPH (I) OF~~
 7 ~~THIS PARAGRAPH MAY NOT PROHIBIT A LICENSEE FROM FISHING IN THE MAIN STEM~~
 8 ~~OF THE CHESAPEAKE BAY THAT IS SOUTH OF THE CHESAPEAKE BAY BRIDGE.~~

9 ~~(e) A person who wishes to obtain the license shall complete and submit an~~
 10 ~~application for the license to the Department or any person designated by the Department.~~

11 ~~(d) An applicant for the license does not need to hold a tidal fish license under §~~
 12 ~~4-701 of this subtitle to be eligible for the license.~~

13 ~~(e) The term of the license is 1 year from September 1 through August 31 the~~
 14 ~~following year.~~

15 ~~(f) The annual license fee is \$15.~~

16 ~~(g) A licensee may not transfer a license issued under this section.~~

17 ~~(h) A licensee shall have a commercial blue and flathead catfish finfish trotline~~
 18 ~~license in the licensee's possession when the licensee fishes under the license.~~

19 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July~~
 20 ~~1, 2025.~~

21 (a) The Department of Natural Resources, in coordination with the Invasive
 22 Catfish Advisory Committee, shall establish the Invasive Blue Catfish Pilot Program.

23 (b) The purpose of the Pilot Program is to curb the spread of the invasive blue
 24 catfish in the Chesapeake Bay and its tributaries.

25 (c) The Pilot Program consists of:

26 (1) the For-Hire/Commercial Blue Catfish Program;

27 (2) the Mid- and Lower-Bay Blue Catfish Trotline Program; and

28 (3) any other program that the Department determines to be effective in
 29 curbing the spread of blue catfish in the Chesapeake Bay and its tributaries.

1 (d) (1) Under the For–Hire/Commercial Blue Catfish Program, the
2 Department may:

3 (i) authorize eligible participants to run for–hire and commercial
4 fishing trips simultaneously; and

5 (ii) make any regulatory or administrative changes it believes will
6 increase the commercial harvest of blue catfish.

7 (2) (i) Under the Mid– and Lower–Bay Blue Catfish Trotline Program,
8 the Department shall authorize the use of finfish trotlines south of the William Preston
9 Lane Jr. Memorial Bridge to the maximum extent feasible to harvest blue catfish.

10 (ii) The Department may restrict the areas south of the William
11 Preston Lane Jr. Memorial Bridge where finfish trotlines may be used to harvest blue
12 catfish based on potential bycatch, user conflicts, or other issues it considers relevant.

13 (e) In implementing the Pilot Program, the Department shall consider for the
14 harvest of blue catfish:

15 (1) authorizing the use of electrofishing;

16 (2) authorizing the use of finfish trotlines of up to 2,400 feet in length;

17 (3) eliminating any limits on the number of hooks used on a finfish trotline;

18 and

19 (4) authorizing the use of hooks that are not corrodible.

20 (f) The Department shall:

21 (1) expand the use of practices determined to be effective under the Pilot
22 Program throughout the duration of the Pilot Program; and

23 (2) continue to implement and update the Pilot Program until the
24 termination date of this Act.

25 (g) On or before December 1, 2025, the Department shall report to the Governor
26 and, in accordance with § 2–1257 of the State Government Article, the General Assembly
27 on its findings and recommendations under the Pilot Program.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
29 measure, is necessary for the immediate preservation of the public health or safety, has
30 been passed by a ye and nay vote supported by three–fifths of all the members elected to
31 each of the two Houses of the General Assembly, and shall take effect from the date it is
32 enacted. It shall remain effective through June 30, 2026, and, at the end of June 30, 2026,

1 this Act, with no further action required by the General Assembly, shall be abrogated and
2 of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.