

HOUSE BILL 386

M2

EMERGENCY BILL

3lr2103
CF SB 80

By: **Delegates Jacobs, Arentz, Ghrist, and Otto**

Introduced and read first time: January 26, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Blue and Flathead Catfish Finfish Trotline License –**
3 **Establishment**

4 FOR the purpose of establishing a licensing and regulatory scheme to allow the commercial
5 fishing of blue and flathead catfish in the tidal waters of the State using a finfish
6 trotline; and generally relating to the commercial blue and flathead catfish finfish
7 trotline license.

8 BY repealing and reenacting, with amendments,
9 Article – Natural Resources
10 Section 4–701(a), (b)(1), and (d)(2)(ii)4.
11 Annotated Code of Maryland
12 (2018 Replacement Volume and 2022 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Natural Resources
15 Section 4–701(d)(2)(ii)5.
16 Annotated Code of Maryland
17 (2018 Replacement Volume and 2022 Supplement)

18 BY adding to
19 Article – Natural Resources
20 Section 4–701.2
21 Annotated Code of Maryland
22 (2018 Replacement Volume and 2022 Supplement)

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

25 **Article – Natural Resources**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 4-701.

2 (a) Except as provided in [§ 4-701.1] **§§ 4-701.1 AND 4-701.2** of this subtitle,
3 this section applies to any person who is required under this subtitle or Subtitle 2, 8, 9, or
4 10 of this title to be licensed to guide fishing parties or to catch, sell, buy, process, transport,
5 export, or otherwise deal in fish caught in tidal waters.

6 (b) (1) Except as provided in [§ 4-701.1] **§§ 4-701.1 AND 4-701.2** of this
7 subtitle, the Department shall utilize a single, commercial license, to be known and
8 designated as a tidal fish license.

9 (d) (2) (ii) The following annual fees for an authorization shall apply
10 regardless of when the license is issued or an activity is authorized:

11 4. For a person to buy, process, pack, resell, market or
12 otherwise deal in fish caught in the tidal waters of Maryland, seafood dealer:

13 A. \$50 for a person licensed under item 2 of this
14 subparagraph or § 4-701.1 **OR § 4-701.2** of this subtitle; or

15 B. \$250 for a person not licensed under item 2 of this
16 subparagraph; and

17 5. For a person who is not licensed under this section to land
18 fish caught in out-of-state tidal waters, seafood landing – \$350.

19 **4-701.2.**

20 **(A) THERE IS A COMMERCIAL BLUE AND FLATHEAD CATFISH FINFISH**
21 **TROTLINE LICENSE.**

22 **(B) (1) THE LICENSE AUTHORIZES THE HOLDER TO CATCH FOR SALE**
23 **BLUE AND FLATHEAD CATFISH IN THE TIDAL WATERS OF THE STATE USING A**
24 **FINFISH TROTLINE, AS DEFINED IN DEPARTMENT REGULATIONS.**

25 **(2) A LICENSEE SHALL FISH IN ACCORDANCE WITH DEPARTMENT**
26 **REGULATIONS.**

27 **(C) A PERSON WHO WISHES TO OBTAIN THE LICENSE SHALL COMPLETE AND**
28 **SUBMIT AN APPLICATION FOR THE LICENSE TO THE DEPARTMENT OR ANY PERSON**
29 **DESIGNATED BY THE DEPARTMENT.**

30 **(D) AN APPLICANT FOR THE LICENSE DOES NOT NEED TO HOLD A TIDAL**
31 **FISH LICENSE UNDER § 4-701 OF THIS SUBTITLE TO BE ELIGIBLE FOR THE LICENSE.**

1 **(E) THE TERM OF THE LICENSE IS 1 YEAR FROM SEPTEMBER 1 THROUGH**
2 **AUGUST 31 THE FOLLOWING YEAR.**

3 **(F) THE ANNUAL LICENSE FEE IS \$15.**

4 **(G) A LICENSEE MAY NOT TRANSFER A LICENSE ISSUED UNDER THIS**
5 **SECTION.**

6 **(H) A LICENSEE SHALL HAVE A COMMERCIAL BLUE AND FLATHEAD CATFISH**
7 **FINFISH TROTLINE LICENSE IN THE LICENSEE'S POSSESSION WHEN THE LICENSEE**
8 **FISHES UNDER THE LICENSE.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
10 measure, is necessary for the immediate preservation of the public health or safety, has
11 been passed by a yea and nay vote supported by three-fifths of all the members elected to
12 each of the two Houses of the General Assembly, and shall take effect from the date it is
13 enacted.