

HOUSE BILL 446

M2

EMERGENCY BILL

5lr2418
CF SB 186

By: **Delegates T. Morgan, Addison, Beauchamp, Ciliberti, Davis, Foley, Hartman, Hutchinson, Jacobs, Otto, ~~and Ziegler~~ Ziegler, Behler, Boyce, J. Long, and Ruth**

Introduced and read first time: January 16, 2025

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 25, 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~~

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.



~~4-701.2.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) The Pilot Program consists of:

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

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

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

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

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

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

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

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

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

(1) authorizing the use of electrofishing;

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

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

and

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

(f) The Department shall:

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

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

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

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

Speaker of the House of Delegates.

President of the Senate.