

(1997 Replacement Volume and 1999 Supplement)

BY adding toArticle - Natural ResourcesSection 4-701(j-1)Annotated Code of Maryland(1997 Replacement Volume and 1999 Supplement)

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

Article - Natural Resources

4-701.

(g) (2) The Department shall set by regulation targets for the number of tidal fish license authorizations under subsection (d)(2)(ii) of this section to be the number issued between September 1, 1998 and March 31, 1999. The Department may modify by regulation the target number of authorizations based on:

(i) Recommendations of the Tidal Fisheries Advisory Commission;

(ii) Recommendations of fishery management plans adopted by the Department, the Chesapeake Bay Program, the Atlantic States Marine Fisheries Commission, the Mid-Atlantic Fisheries Management Council, or any other appropriate management body;

(iii) The number of people historically participating; [and]

(iv) Target species, size, number, weight, incidental catch, total biomass, annual harvest, mortality rates, and other factors which are necessary and appropriate; AND

(V) THE NUMBER OF AUTHORIZATIONS RELINQUISHED TO THE DEPARTMENT UNDER SUBSECTION (J-1) OF THIS SECTION.

(i) (1) A license or authorization may be transferred only under the provisions of this subsection.

(2) The Department shall review and may approve the permanent transfer of a license or an authorization to a person who is the licensee's spouse, daughter, son, stepchild, grandchild, step grandchild, parent, sister, brother, grandparent, father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, or brother-in-law, and only:

(i) If the licensee makes application to the Department requesting transfer and the transferee has paid the fee for the license or authorization; or

(ii) Upon death of the licensee, if the licensee OR AN AUTHORIZED REPRESENTATIVE OF THE LICENSEE INDICATES OR had indicated that person's name [on the license application on file with] TO the Department.