

## Legislation 2014 –4/9/2014

### **HB 26 – Administrative Procedure Act – Fiscal Impact Statements for Proposed Regulations (Crossfile – SB 151)** (Unfavorable report 2/25) Health and Government Operations **FAILED**

Altering a specified provision of law to clarify that a promulgating unit is required to submit a specified fiscal impact statement with a proposed regulation to the Joint Committee on Administrative, Executive, and Legislative Review and the Department of Legislative Services; and altering a specified provision of law to prohibit a unit from adopting a proposed regulation until after a specified fiscal impact statement is submitted with the proposed regulation to the Committee for preliminary review.

### **HB 96 – State Designations – State Sandwich – Soft-Shell Crab Sandwich (Crossfile – SB 29)** (Hearing: 1/23 at 2pm) Health and Government Operations **FAILED**

Designating the soft-shell crab sandwich as the State sandwich.

### **HB 118 – Greenhouse Gas Emissions Reductions – Progress Report – Ocean Acidification** (Third Reading Passed 3/11, Senate Third Reading Passed 4/7, Returned Passed 4/7) Environmental Matters and Economic Matters **PASSED**

Establishing the Task Force to Study the Impact of Ocean Acidification on State Waters; providing for the composition, chair, and staffing of the Task Force; requiring the Task Force to analyze specified information and make recommendations regarding specified matters; requiring the Task Force to report its findings and recommendations to the Governor and General Assembly on or before January 1, 2015; providing for the termination of the Act at the end of June 30, 2015; etc.

### **HB 145 – Natural Resources – Fisheries Management – Regulations (Crossfile SB 145)** (Referred to interim study 2/10) Environmental Matters **FAILED (SUMMER STUDY)**

Clarifying the regulatory authority of the Department of Natural Resources to issue public notices for specified fishery management purposes; specifying the types of actions that the Department may include in a specified public notice; and providing that a public notice issued in accordance with specified regulations is not subject to Title 10, Subtitle 1 of the State Government Article.

### **HB 154 – Natural Resources – Sport Fisheries Advisory Commission – Membership** (Third Reading Passed 2/13, Senate Third Reading Passed 3/27, Returned Passed 3/27) Environmental Matters **PASSED**

Increasing to 16 the number of members on the Sport Fisheries Advisory Commission; and requiring that one member of the Sport Fisheries Advisory Commission be a specified member of the Tidal Fisheries Advisory Commission.

**HB 166 – State Government – Administrative Procedure Act – Effective Date of Adopted Regulations** (Third Reading passed 3/13, In the Senate - First Reading Education, Health, and Environmental Affairs 3/18, Hearing not yet scheduled) Health and Government Operations **FAILED**

Altering the effective dates of specified regulations adopted under the Administrative Procedure Act.

**HB 618 – Nonresident Recreational Fishing and Crabbing Licenses – Oyster Restoration Surcharge (Crossfile SB 437)** (Hearing: 2/12 at 2pm) Environmental Matters **FAILED**

Authorizing the Department of Natural Resources to require a nonresident to pay a surcharge in addition to any license fees imposed under specified laws and regulations for specified recreational fishing and crabbing licenses; requiring the Department to establish the amount of the surcharge by regulation; requiring all surcharges collected under the Act to be credited to the Fisheries Research and Development Fund and used only for oyster restoration activities; etc.

**HB 675 – Recreational Hunting or Fishing License Applications – Disclosure of Information** (Unfavorable Report 3/13) Environmental Matters **FAILED**

Establishing that the Department of Natural Resources may require an applicant to provide only specified information on an application for a recreational hunting or fishing license; altering the information that a request for information from a recreational hunting or fishing license application made by the Child Support Enforcement Administration of the Department of Human Resources to the Department of Natural Resources is required to contain; etc.

**HB 737 – State Government – Legislative and Regulatory Procedures – Efficacy Analyses** (Hearing 3/03 at 1:00 p.m.) House Rules and Executive Nominations **FAILED**

Requiring specified Executive Branch agencies and the Department of Legislative Services to prepare efficacy analyses for specified bills that add to or amend the Agriculture Article, Environment Article, Land Use Article, or Natural Resources Article; requiring specified Executive Branch agencies to prepare efficacy analyses for

regulations proposed by the Department of Agriculture, Department of the Environment, Department of Natural Resources, or Department of Planning; etc.

**HB 769 – Recreational Hunting or Fishing License Applications – Disclosure of Information** (Unfavorable Report 3/13) Environmental Matters  
**FAILED**

Establishing that the Department of Natural Resources may require an applicant to provide only specified information on an application for a recreational hunting or fishing license; altering the information that a request for information from a recreational hunting or fishing license application made by the Child Support Enforcement Administration of the Department of Human Resources to the Department of Natural Resources is required to contain; etc.

**HB 913 – Food Fish and Shellfish – Labeling and Identification Requirements (Maryland Seafood Authenticity and Enforcement Act)**  
(Hearing: 2/26 at 1pm) Environmental Matters **FAILED**

Prohibiting a person from selling or offering for sale within the State any food fish or shellfish unless the person identifies the species of the food fish or shellfish in a specified manner; requiring that the species of a food fish or shellfish be identified by the common name provided in specified regulations or in a specified publication; prohibiting a person from knowingly misidentifying the species of a food fish or shellfish on a label, sign, or menu; etc.

**HB 1104 – Striped Bass Allocation – Individual Transferable Quotas – Prohibited** (Hearing cancelled, Withdrawn 2/26) Environmental Matters **FAILED**

Prohibiting, as of January 1, 2015, the Department of Natural Resources from allocating any of the State's commercial quota for the striped bass gill net and hook and line fishery through the individual transferable quota system or another substantially similar system; and defining "individual transferable quota system".

**HB 1148 – Recreational Striped Bass Fishery – Study on Reporting Requirements** (Third reading Passed 3/9, Senate Third Reading passed 4/4, Returned Passed 329) Environmental Matters **PASSED**

Requiring the Department of Natural Resources to conduct a study on the establishment of reporting requirements for the recreational striped bass fishery; requiring the study to examine specified issues relevant to the reporting requirements; requiring the Department to report its findings and recommendations to the Governor and specified committees of the General Assembly on or before December 1, 2014; etc.

**HB 1153 – Commercial Fishing and Seafood Operations – Nuisance Actions – Exemption (Crossfile SB 929)** (Passed Third Reader 3/9, Senate Third Reading Passed 4/7, Returned Passed 4/7) Environmental Matters **PASSED**

Expanding the application of specified provisions of law relating to the protection of agricultural operations from nuisance actions under specified circumstances to apply to specified commercial fishing and seafood operations; exempting specified commercial fishing and seafood operations from nuisance lawsuits; authorizing an appeal of a local agency's decision on a nuisance complaint against a commercial fishing or seafood operation to a circuit court; etc.

**HB 1155 – Oyster Dredging – Waters North of the Chesapeake Bay Bridge and Kent Narrows Bridge (Crossfile SB 466)** (Hearing: 2/28 at 1pm) Environmental Matters **FAILED**

Authorizing a person to catch oysters by dredge in specified waters of the Chesapeake Bay north of the Chesapeake Bay Bridge and the Kent Narrows Bridge.

**HB 1174 – Recreational Hunting or Fishing Licenses – Denial, Suspension, and Required Disclosure** (Passed Third Reader 3/9, Senate Third Reading Passed 4/4, Returned Passed 4/5) Environmental Matters **PASSED**

Establishing that specified provisions of law governing the denial or suspension of licenses for failure to pay child support apply to recreational hunting and fishing licenses; requiring the Department of Natural Resources to require an applicant to provide only specified information related to the applicant's Social Security number on an application for a recreational hunting or fishing license; altering the information that a request for information from a recreational hunting or fishing license application is required to contain; etc.

**HB 1348 – State Government – Advertisements – Paid for by Maryland Taxpayers** (Hearing: 3/12 at 1pm) Health and Government Operations **FAILED**

Requiring that any advertisement that is paid for by the State and issued by or on behalf of specified courts, the Maryland General Assembly, or specified departments and units of the Executive Branch of State government include the statement, "This message has been paid for by the taxpayers of Maryland"; etc.

**HB 1520 – Sales and Use Tax – Tax-Free Periods – Hunting and Sporting Goods** (Hearing not set) House Rules and Executive Nominations **FAILED**

Establishing a sales and use tax exemption period for the 7-day period from the third Sunday in April through the following Saturday for specified hunting and sporting goods if the taxable price of the item is less than \$1,000; etc.

**HB 1551 Fresh Oyster Shells – Purchase by Country Oyster**

**Committees (Cross file SB 1111) (Hearing: 3/14 at 1pm) Environmental Matters**

**FAILED**

Requiring the Department of Natural Resources to authorize county oyster committees to purchase annually up to 400,000 bushels of fresh oyster shells that have not gone through a hatchery for production of spat on the fresh oyster shell for placement on a public oyster fishery bottom; and making the Act an emergency measure.

**SB 29 – State Designations – State Sandwich – Soft-Shell Crab**

**Sandwich (Crossfile HB 96) (Hearing: 2/28 at 1pm) Education, Health, and**

**Environmental Affairs FAILED**

Designating the soft-shell crab sandwich as the State sandwich.

**SB 93 – Natural Resources – Recreational Incentives Pilot Program**

(Passed Third Reader 1/21, House Third Reading Passed 4/3, Returned Passed 4/4)

Education Health and Environmental Affairs **PASSED**

Establishing the Recreational Incentives Pilot Program in the Department of Natural Resources; stating that the purpose of the pilot program is to determine whether incentive discounts offered to specified individuals increase the purchase of recreational hunting and fishing licenses; requiring the Department to develop a plan to implement the pilot program, subject to requirements and restrictions; requiring the Department to implement the pilot program in accordance with the developed plan; etc.

**SB 145 – Natural Resources – Fisheries Management – Regulations**

**(Crossfile HB 145) (Unfavorable Report, Withdrawn 2/7) Education, Health, and**

**Environmental Affairs FAILED**

Clarifying the regulatory authority of the Department of Natural Resources to issue public notices for specified fishery management purposes; specifying the types of actions that the Department may include in a public notice; and providing that a public notice issued in accordance with specified regulations is not subject to Title 10, Subtitle 1 of the State Government Article.

**SB 151 – Administrative Procedure Act – Fiscal Impact Statements for**

**Proposed Regulations (Crossfile – HB 26) (Unfavorable report 2/13) Education,**

**Health and Environmental Affairs FAILED**

Altering a specified provision of law to clarify that a promulgating unit is required to submit a specified fiscal impact statement with a proposed regulation to the Joint Committee on Administrative, Executive, and Legislative Review and the Department of

Legislative Services; and altering a specified provision of law to prohibit a unit from adopting a proposed regulation until after a specified fiscal impact statement is submitted with the proposed regulation to the Committee for preliminary review.

**SB 437 – Nonresident Recreational Fishing and Crabbing Licenses – Oyster Restoration Surcharge (Crossfile HB 618)** (Favorable Report 2/14, Special Order until 2/18 adopted on 2/14, Recommitted to Education, Health and Environmental Affairs Committee 2/19) Education, Health and Environmental Affairs **FAILED**

Authorizing the Department of Natural Resources to require a nonresident to pay a surcharge in addition to any license fees imposed under specified laws and regulations for specified recreational fishing and crabbing licenses; requiring the Department to establish the amount of the surcharge by regulation; requiring all surcharges collected under the Act to be credited to the Fisheries Research and Development Fund and used only for oyster restoration activities; etc.

**SB 466 – Oyster Dredging – Waters North of the Chesapeake Bay Bridge and Kent Narrows Bridge (Crossfile HB 1155)** (Hearing: 2/11 at 1pm) Education, Health, and Environmental Affairs **FAILED**

Authorizing a person to catch oysters by dredge in specified waters of the Chesapeake Bay north of the Chesapeake Bay Bridge and the Kent Narrows Bridge.

**SB 591 – Chesapeake Bay Striped Bass Fishery – Allocation of Commercial Quota** (Unfavorable report 3/24) Education, Health, and Environmental Affairs **FAILED**

Requiring the Department of Natural Resources to initially allocate an equal percentage of the State's total commercial quota for the Chesapeake Bay striped bass gill net and hook and line fishery to each participant in the fishery.

**SB 929 – Commercial Fishing and Seafood Operations – Nuisance Actions – Exemption (Crossfile HB 1153)** (Third Reading Passed 3/20, First Reading House Rules and Executive Nominations 3/22) Judicial Proceedings **FAILED**

Expanding the application of specified provisions of law relating to the protection of agricultural operations from nuisance actions under specified circumstances to apply to specified commercial fishing and seafood operations; exempting specified commercial fishing and seafood operations from nuisance lawsuits; authorizing an appeal of a local agency's decision on a nuisance complaint against a commercial fishing or seafood operation to a circuit court; etc.

**SB 935 – Department of Natural Resources Police – Transfer of Duties and Responsibilities to the Department of State Police** (Hearing: 2/25 at 1pm) Education, Health, and Environmental Affairs **FAILED**

Abolishing the Department of Natural Resources Police Force; transferring the duties and responsibilities of the Department of Natural Resources Police Force to the Department of State Police; specifying that the Department of State Police is responsible for the enforcement of the natural resources laws of the State; providing for the transfer of specified employees, functions, property, equipment, records, assets, and liabilities of the Natural Resources police to the Department of State Police; etc.

**SB 1111 -- Fresh Oyster Shells – Purchase by County Oyster Committees** (Cross file **HB 1551**) (Hearing: 3/14 at 1pm) Fiscal and Policy Committee **FAILED**

Requiring the Department of Natural Resources to authorize county oyster committees to purchase annually up to 400,000 bushels of fresh oyster shells that have not gone through a hatchery for production of spat on the fresh oyster shell for placement on a public oyster fishery bottom; and making the Act an emergency measure.