

Ideas or Concepts for 2015 Legislative Session. These are just ideas!

1. Housekeeping

Correct and clarify text in several sections of Title 4 of the Natural Resources Article.

- Clean up 4-604(g) to look more like 4-745, specifically removing the requirement that the Secretary's signature appear on the license and amending other license information
- Remove 4-609 requires a \$1 charge to reprint a license. However we no longer need this because under the COMPASS system you can reprint as many times as you like.
- Clean up 4-614 because the areas in which a trout stamp are required are currently unclear; replace with language clarifying that areas which require a trout stamp will be in regulation
- Remove 4-617(a)-(d) can be removed because these items are now covered under COMAR 08.02.25 via our recreational gear authority. Items from (c) and (d) would need to be added to the regulation.
- Remove 4-618 because fishnets are already covered by our recreational gear chapter COMAR 08.02.25.
- Clean up 4-710 to remove "gig" and "gig iron" from (a) but leave prohibition for commercial purposes. The Department then would have the ability to allow or not allow them in the recreational gear regulations COMAR 08.02.25. Remove (d)(2) and (3) except for commercial purposes as they are regulated under COMAR 08.02.25 as recreational gear.
- Clean up 4-711 because the area descriptions use text such as locations of houses and silos to draw lines those references need to be removed. The other areas use physical landmarks to draw points instead of potentially removable landmarks such as buildings.
- Clean up 4-713 the certification of haul seines is no longer relevant to fisheries management. Fisheries Service previously certified multiple types of gear, but now only certifies haul seines. The practice no longer needed seems relevant and NRP does not assist with this any longer as per the statute requirements. Therefore, the law needs to be changed or repealed.
- Remove 4-716 (included in the more-broad 4-729) – these are Choptank River rules that mirror each other. We could fix it so there is only one instead of two seemingly identical rules.
- Add to 4-745 similar language as to 4-607(a)(1), which allows the Department to issue complimentary licenses to the President of the United States, the governor of any state, and any official of the game and fish department of any other state
- Clean up 4-803 and 4-739 to denote that public notices are issued either once a week for two consecutive weeks or once two weeks before a required hearing on a regulation change.
- Clarify 4-804(b) which pertains to 'for hire' boats. In creating the crabbing charter regulations, this law came to our attention. The AG and staff do not know what it is for and it might be worth just removing it since we have dealt with crabbing for hire trips in regulation now.

2. Dam Removal Tax Credit

Create a one year tax credit for property owners who have fish blockages/dams removed from their property. The amount of the tax credit would be based on easily obtainable metrics that can be calculated in the field by DNR Fish Passage staff. As an example, a simple calculation could be dam height x dam length x a multiplier based on the dam's priority for removal. A Tier 1 dam may be multiplied by \$50, Tier 2 by \$25, Tier 3 by \$10. There may be a maximum credit amount (cap) per tier regardless the dam's size. Maximum credit for a Tier 1 dam may be set at \$25,000, Tier 2 dam may be capped at \$15,000, and maximum for a Tier 3 dam may be \$10,000. The credit amounts could be changed, but the law would need to provide a fairly substantial credit in order for property owners to be incentivized. If a state tax credit is not possible, the bill could create a county tax credit instead and allow counties to vote to accept such a tax credit (similar to how the working waterfront tax credits are done).

3. 365-Day License

Change the time period a recreational fishing license would be valid. Currently, a recreational fishing license is valid from the date of purchase through December 31st of the purchasing year. This idea would make a recreational fishing license valid for 365 days from date of purchase. A handful of other states have 365 day recreational licenses including: North Carolina, Florida, Virginia, New York, and Mississippi. Implications to revenue and the Sportfishing Decal are being reviewed.

4. Public Notice Authority

The first meeting of the public notice workgroup was held July 8, 2014. There was significant discussion and review of the Department's current public notice authority and criteria listed in regulation. A subsequent meeting will be held in early August after members can discuss the issue with stakeholders and members of their organizations. A bill is possible if there is agreement on the bill language.

5. Fisheries Habitat Stamp

HB 618/ SB 437 (Nonresident Recreational Fishing and Crabbing Licenses – Oyster Restoration Surcharge) was introduced in the 2014 session of the General Assembly. The legislation authorized the Department 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 and have that revenue be used only for oyster restoration activities. The bill did not pass; however, at the time there was discussion from stakeholders about modifying the bill to a Fisheries Habitat Stamp. The concept was a voluntary stamp to benefit native oyster restoration, tidal fisheries habitat, or non-tidal fisheries habitat. It would be available to anyone regardless of residency.