



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
John R. Griffin, Secretary
Eric Schwaab, Deputy Secretary

Dear Commission Member,

Every year the District Courts of Maryland allows the Department of Natural Resources to suggest changes to a Natural Resources Fine Schedule which is used by the Court to set fines and prepayable ticket amounts for nature resource violators. These changes are due to the District Court by mid-August each year.

The TFAC and SFAC joint Penalty workgroup has provided comments regularly on the Department's suggestions for this Fine Schedule, amongst other tasks relating to advising the Department on point and suspension related matters. However, since TFAC and SFAC have new membership and a Penalty workgroup was unable to be formed prior to August, the Department is asking the full Commissions to provide feedback on two specific issues relating to the Fine Schedule.

During Legislative Session this year, SB 1419 was passed. This bill raised the maximum fines for first offense to \$1000 and for a second offense to \$2000. This bill was based on recommendations from the Task Force on Fishery Management. The current Fine Schedule does not reflect these increases.

The former maximum fine for a first offense was \$500, so all prepayable tickets are currently for \$500 or less. The Department would like to raise some of the fine amounts that are currently set at the old maximum in order to reflect the changes passed in SB 1419. The Department intends to ask the District Court to replace the old \$250, \$450 and \$500 fines with new fines of \$450, \$650 and \$700. The Department will also be asking the District Court to add additional tiers to certain tiered fines. (Tier ex. 1-5 fish: 50.00, 6-10 fish: 100.00, 11+fish: 150.00 + 5.00 per fish). The Department is not seeking the maximum fine for the prepayable fine schedule because the courts like to have the discretion to charge a higher fine if someone chooses to take the case to court. A copy of the fine schedule with the changes is being provided to you ahead of your meeting. The Department seeks feedback from Commissioners on these fine changes.

Additionally, the Department has added fines for new regulations in accordance with general suggestions on fines, such as tiered fines, from the Penalty Workgroup in 2008. Some of fine changes are the result of regulations being moved or new chapters being created. For example, yellow perch and shark regulations were moved to a new chapter to allow for regulatory changes this year. Some of the fines remain the same and some new fines were added where rules were changed from 2008. Please review these additions to the Fine Schedule along with the two types of changes above and be prepared to provide the Department with your feedback at your first meeting in July. The Department will review your feedback and make any changes deemed necessary prior to submitted suggestions to the District Court.