

HOUSE BILL 1341

Unofficial Copy  
M2

2001 Regular Session  
(11r2821)

**ENROLLED BILL**

-- Environmental Matters/Economic and Environmental Affairs --

Introduced by ~~Delegates McClenahan and W. Baker~~, **W. Baker, and Dewberry**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER 724

1 AN ACT concerning

2 **Department of Natural Resources - Limited Fishing Guide License**

3 FOR the purpose of authorizing the Department of Natural Resources to issue a  
4 certain limited fishing guide license for use under certain circumstances;  
5 prohibiting certain guides from accepting consideration for certain fishing guide  
6 services unless certain persons possess certain licenses; providing for a certain  
7 delayed effective date; establishing certain fees for a certain license; requiring  
8 the Department to report annually on certain information; providing for how  
9 certain funds may be spent; providing certain restrictions on recreational  
10 anglers under certain circumstances; and generally relating to the issuance of a  
11 certain limited fishing guide license.

12 BY repealing and reenacting, with amendments,  
13 Article - Natural Resources  
14 Section 4-210  
15 Annotated Code of Maryland  
16 (2000 Replacement Volume)

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

3 **Article - Natural Resources**

4 4-210.

5 (a) Except for a person employed to operate a vessel for a master fishing guide  
6 under § 4-701(o), any person who desires to accept direct or indirect consideration for  
7 providing services as a fishing guide shall obtain a license.

8 (b) In addition to any license required by this section, a person may not  
9 furnish any service as a fishing guide that requires operating a boat or vessel as part  
10 of that service without first obtaining appropriate federal licenses to operate a vessel  
11 carrying passengers for hire.

12 (c) A person who is required to be licensed under this section must have all  
13 appropriate federal and State licenses in the person's possession whenever  
14 performing services as a fishing guide.

15 (d) A commercial fishing guide shall be required to submit reports monthly on  
16 forms provided by the Department.

17 (e) (1) The Secretary may establish by regulation first aid and safety  
18 requirements with which all licensed fishing guides shall comply.

19 (2) The Department may suspend, revoke, or refuse to issue a license for  
20 failure to comply with the terms of the license.

21 (f) The Department may issue a tidal fish license under § 4-701 of this  
22 subtitle and a freshwater fishing guide license under § 4-210.1 of this subtitle.

23 (G) (1) THE DEPARTMENT MAY ISSUE A LIMITED FISHING GUIDE LICENSE  
24 THAT IS APPLICABLE ~~ONLY IN ALL WATERS OF THE STATE TO ALLOW A LICENSE~~  
25 HOLDER TO GUIDE ~~ANGLERS IN:~~

26 (I) ANGLERS IN UP TO 3 BOATS OR VESSELS THAT:

27 1. HAVE 1 OR 2 OCCUPANTS; AND

28 2. ~~IS~~ ARE PROPELLED BY OARS OR PADDLES; OR

29 (II) 1. UP EXCEPT AS PROVIDED IN ITEM 2 OF THIS ITEM, UP TO 3  
30 10 ANGLERS FISHING FROM SHORE OR ON FOOT IN THE WATER; OR

31 2. ANY NUMBER OF ANGLERS WHO ARE PARTICIPATING IN  
32 AN EDUCATIONAL OR RECREATIONAL PROGRAM SPONSORED BY A STATE, LOCAL, OR  
33 MUNICIPAL GOVERNMENT AND WHO ARE FISHING FROM SHORE OR ON FOOT IN THE  
34 WATER.

1           (2)     A PERSON MAY NOT ACCEPT ANY CONSIDERATION FOR SERVICES AS  
2 A FISHING GUIDE LICENSED UNDER THIS SUBSECTION UNLESS THE PERSON AND  
3 ALL PERSONS BEING GUIDED POSSESS, AS APPLICABLE, AN ANGLER'S LICENSE  
4 ISSUED UNDER § 4-604 OF THIS TITLE OR A CHESAPEAKE BAY SPORT FISHING  
5 LICENSE ISSUED UNDER § 4-745 OF THIS TITLE.

6           (3)     A RECREATIONAL ANGLER UNDER THE GUIDANCE OF A LIMITED  
7 FISHING GUIDE IN TIDAL WATERS MAY NOT:

8                   (I)     CATCH OR POSSESS THE SPECIES OF FISH KNOWN AS THE  
9 STRIPED BASS OR ROCKFISH IN THE TIDAL WATERS DESIGNATED IN § 4-210.1(F) OF  
10 THIS SUBTITLE; AND

11                   (II)    FROM MARCH 1 THROUGH MAY 31, CATCH OR ATTEMPT TO  
12 CATCH THE SPECIES OF FISH KNOWN AS THE STRIPED BASS OR ROCKFISH IN  
13 SPAWNING AREAS AND RIVERS, INCLUDING ALL WATERS NORTH OF A LINE FROM  
14 ABBEY POINT TO WORTON POINT, INCLUDING THE SASSAFRAS RIVER, BOHEMIA  
15 RIVER, ELK RIVER, NORTHEAST RIVER, SUSQUEHANNA RIVER, SUSQUEHANNA FLATS,  
16 AND THE CHESAPEAKE AND DELAWARE CANAL.

17    (H)    (1)     THE FEE FOR A LIMITED FISHING GUIDE LICENSE UNDER  
18 SUBSECTION (G) OF THIS SECTION SHALL BE:

19                   (I)     FOR A RESIDENT, \$50; AND

20                   (II)    FOR A NONRESIDENT, \$100.

21           (2)     ALL FEES COLLECTED BY THE DEPARTMENT UNDER THIS  
22 SUBSECTION SHALL BE USED FOR MONITORING THE FRESHWATER FISHERY.

23           (3)     THE DEPARTMENT SHALL PUBLICLY REPORT ANNUALLY THE  
24 AMOUNTS COLLECTED UNDER THIS SUBSECTION.

25    SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 January 1, 2002.