

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

Senate Bill 185 (Chairman, Education, Health, and Environmental Affairs Committee)
(By Request – Departmental – Natural Resources)

Education, Health, and Environmental Affairs

Environmental Matters

Fishing Licenses - Disability Exemption

This departmental bill authorizes the Department of Natural Resources (DNR) to issue a one-day license exemption to a nonprofit organization to take individuals with physical or mental disabilities fishing from shore in the tidal or nontidal waters of the State. The primary caregiver or representative of the organization attending to the disabled individual, who would also be exempt, must possess a letter of exemption from the Director of the Fisheries Service. The bill outlines application requirements.

Fiscal Summary

State Effect: The bill would not materially affect State finances or operations because it is expected to result in fewer than 12 exemptions each year.

Local Effect: None.

Small Business Effect: DNR has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Bill Summary: An individual covered under the bill's exemption may engage in angling on the nontidal waters of the State without holding an angler's license, engage in angling for trout on the nontidal waters of the State without holding a trout stamp, and fish for finfish in the Chesapeake Bay and its tributaries without holding a Chesapeake Bay sport fishing license.

Current Law: Current law provides an exemption from an angler's license (for fishing in nontidal waters) for:

- any patient who is under treatment by a State-approved mental health facility, and any individual who attends or resides in a State-approved retardation facility;
- a caregiver, family member, or designee of a mental health care facility or private group home of a patient who is under treatment by a State-approved mental health facility, under specified conditions;
- any group of disabled or convalescent patients organized and under the care and supervision of the American Red Cross; and
- any convalescent patient of a veterans' hospital hospitalized for a service connected disability who fishes in nontidal waters under specified conditions.

Background: According to DNR, it receives five to 10 requests each year for exemptions from the nontidal angler's license and the Chesapeake Bay sport fishing license. Most of the requests are from nonprofit organizations seeking to take a group of individuals with physical or mental disabilities on a fishing trip as part of a therapeutic program. Although current law provides for an exemption from purchasing an angler's license for individuals with disabilities under limited conditions, it does not meet the needs of the disabled public. In addition, current law does not provide for an exemption from purchasing the Chesapeake Bay sport fishing license.

Additional Information

Prior Introductions: SB 72 of 2001 would have extended the opportunity for therapeutic fishing activities already available in nontidal waters to tidal waters. The bill passed the Senate but received an unfavorable report by the House Environmental Matters Committee.

Cross File: None.

Information Source(s): Department of Natural Resources, Department of Legislative Services

Fiscal Note History: First Reader - January 26, 2005
n/ljm

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