SENATE BILL 361

M2 (9lr1190)

ENROLLED BILL

— Education, Health, and Environmental Affairs/Environment and Transportation — Introduced by Senators Hershey, Bailey, Carozza, and Eckardt

Read and	Examined by Proofreaders:	
		Proofreader
		Proofreader
Sealed with the Great Seal and	presented to the Govern	or, for his approval this
day of	at	o'clock,M
		President
	CHAPTER	
AN ACT concerning		
Limited Fishing Guide License L Charter	<u>Natural Resources</u> – Payr <u>Boat License</u> – Alteration	-
FOR the purpose of authorizing a particle fishing guide if the person is oars or paddles and possesses under a certain license from barelating to limited fishing guidicense issued by the Department on a single vessel operated individuals on a vessel under waters of the State; and generated	guiding certain boats or ve a certain license; prohibiti eing required to possess a ce de licenses specifying that a ent of Natural Resources is v by a certain licensed fisha the guidance of a certain lice	ssels that are propelled by ng a certain person guided rtain license; and generally certain special charter boat alid for certain individuals ing guide and for certain ensed fishing guide in tida
BY repealing and reenacting, with a Article – Natural Resources	amendments,	

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 2 3	Section 4–210 <u>4–745(d)(1)</u> Annotated Code of Maryland (2018 Replacement Volume)
4 5	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
6	Article - Natural Resources
7	4–210.
8 9 10	(a) Except for a person employed to operate a vessel for a master fishing guide under § 4-701(r) of this title or a person permitted to operate a charter boat under § 4-210.2 of this subtitle, any person who desires to accept direct or indirect consideration for providing services as a fishing guide shall obtain a license.
12 13 14	(b) In addition to any license required by this section, a person may not furnish any service as a fishing guide that requires operating a boat or vessel as part of that service without first obtaining appropriate federal licenses to operate a vessel carrying passengers for hire.
16 17 18	(c) A person who is required to be licensed under this section must have all appropriate federal and State licenses in the person's possession whenever performing services as a fishing guide.
19 20	(d) A commercial fishing guide shall be required to submit reports monthly on forms provided by the Department.
21 22	(e) (1) The Secretary may establish by regulation vessel marking, first aid, and safety requirements with which all licensed fishing guides shall comply.
23 24	(2) The Department may suspend, revoke, or refuse to issue a license for failure to comply with the terms of the license.
25 26	(f) The Department may issue a tidal fish license under § 4–701 of this title and a freshwater fishing guide license under § 4–210.1 of this subtitle.
27 28	(g) (1) The Department may issue a limited fishing guide license that is applicable in all waters of the State to allow a license holder to guide:
29	(i) Anglers in up to 3 boats or vessels that:
30	1. Have 1 or 2 occupants; and
31	2. Are propelled by oars or paddles; or

1	(ii) 1. Except as provided in item 2 of this item, up to 10 anglers
2	fishing from shore or on foot in the water; or
_	institute from shore of our food in the water, of
3	2. Any number of anglers who are participating in an
4	educational or recreational program sponsored by a State, local, or municipal government
5	and who are fishing from shore or on foot in the water.
9	and who are usining from shore or on look in the water.
0	(a) (b) [A] Everent as provided by supply as an any (b) of my
6	(2) (I) [A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
7	PARAGRAPH, A person may not accept any consideration for services as a fishing guide
8	licensed under this subsection unless the person and all persons being guided possess, as
9	applicable, an angler's license issued under § 4-604 of this title or a Chesapeake Bay and
10	coastal sport fishing license issued under § 4-745 of this title.
11	(II) 1. A PERSON MAY ACCEPT CONSIDERATION FOR
12	SERVICES AS A FISHING CHIDE LICENSED UNDER THIS SUBSECTION IF THE PERSON:
14	SERVICES AS A FISHING GOIDE DICENSED CADER THIS SUBSECTION IF THE FERSON.
1.0	A To granting the total agent the total agent the total agent the total agent total agent to the total agent
13	A. IS GUIDING ANGLERS IN ACCORDANCE WITH
14	PARAGRAPH (1)(I) OF THIS SUBSECTION; AND
15	B. Possesses, as applicable, an angler's license
16	ISSUED UNDER § 4-604 OF THIS TITLE OR A CHESAPEAKE BAY AND COASTAL SPORT
17	FISHING LICENSE ISSUED UNDER § 4–745 OF THIS TITLE.
11	TISHING EIGENSE ISSOED CADER § 1 110 OF THIS TITLE.
10	2. A PERSON BEING GUIDED UNDER PARAGRAPH (1)(1)
18	
19	OF THIS SUBSECTION MAY NOT BE REQUIRED TO POSSESS AN ANGLER'S LICENSE
20	ISSUED UNDER § 4-604 OF THIS TITLE OR A CHESAPEAKE BAY AND COASTAL SPORT
21	FISHING LICENSE ISSUED UNDER § 4-745 OF THIS TITLE.
22	(3) A recreational angler under the guidance of a limited fishing guide in
$\frac{-}{23}$	tidal waters may not:
	tradi waters may not.
24	(i) Catch or possess the species of fish known as the striped bass or
$\frac{24}{25}$	rockfish in the tidal waters designated in § 4–210.1(f) of this subtitle; and
20	rocknesh in the tidal waters designated in § 1-210.1(1) of this subtitle; and
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26	(ii) From March 1 through May 31, catch or attempt to catch the
27	species of fish known as the striped bass or rockfish in spawning areas and rivers, including
28	all waters north of a line from Abbey Point to Worton Point, including the Sassafras River,
29	Bohemia River, Elk River, Northeast River, Susquehanna River, Susquehanna Flats, and
30	the Chesapeake and Delaware Canal.
	(h) (1) The fee for a limited fishing guide license under subsection (g) of this
31	· · · · · · · · · · · · · · · · · · ·
31 32	section shall be:
31 32	section shall be:
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	section shall be: (i) For a resident, \$50; and
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$\frac{1}{2}$	(2) All fees collected by the Department under this subsection shall be used for monitoring the freshwater fishery.		
3	<u>4–745.</u>		
4 5 6 7 8 9	(d) (1) The Department may provide by regulation for issuance of a special charter boat license that shall be effective for not more than 1 year and shall expire on August 31 and that would be valid for all individuals on a [charter boat] SINGLE VESSEL operated by a [licensed] fishing guide LICENSED UNDER § 4–210.1 OR § 4–701 OF THIS TITLE OR FOR ALL INDIVIDUALS ON A VESSEL UNDER THE GUIDANCE OF A FISHING GUIDE LICENSED UNDER § 4–210 OF THIS TITLE in tidal waters of the State. The fee shall be:		
10	(i) For 6 fishermen or less		
11	(ii) For 7 or more fishermen		
12 13	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019.		
	Approved:		
	Governor.		
	President of the Senate.		
	Speaker of the House of Delegates.		