

# 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 Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Limited Fishing Guide License~~ *Natural Resources* – ~~Payment for Service~~ *Special*  
3 *Charter Boat License* – Alteration

4 FOR the purpose of ~~authorizing a person to accept consideration for services as a certain~~  
5 ~~fishing guide if the person is guiding certain boats or vessels that are propelled by~~  
6 ~~oars or paddles and possesses a certain license; prohibiting a certain person guided~~  
7 ~~under a certain license from being required to possess a certain license; and generally~~  
8 ~~relating to limited fishing guide licenses~~ *specifying that a certain special charter boat*  
9 *license issued by the Department of Natural Resources is valid for certain individuals*  
10 *on a single vessel operated by a certain licensed fishing guide and for certain*  
11 *individuals on a vessel under the guidance of a certain licensed fishing guide in tidal*  
12 *waters of the State; and generally relating to special charter boat licenses.*

13 BY repealing and reenacting, with amendments,  
14 Article – Natural Resources

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~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 Section ~~4-210~~ 4-745(d)(1)  
 2 Annotated Code of Maryland  
 3 (2018 Replacement Volume)

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

6 **Article – Natural Resources**

7 ~~4-210.~~

8 ~~(a) Except for a person employed to operate a vessel for a master fishing guide~~  
 9 ~~under § 4-701(r) of this title or a person permitted to operate a charter boat under §~~  
 10 ~~4-210.2 of this subtitle, any person who desires to accept direct or indirect consideration~~  
 11 ~~for providing services as a fishing guide shall obtain a license.~~

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

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

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

21 ~~(e) (1) The Secretary may establish by regulation vessel marking, first aid,~~  
 22 ~~and safety requirements with which all licensed fishing guides shall comply.~~

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

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

27 ~~(g) (1) The Department may issue a limited fishing guide license that is~~  
 28 ~~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 ~~(2) All fees collected by the Department under this subsection shall be used~~  
2 ~~for monitoring the freshwater fishery.~~

3 4-745.

4 (d) (1) The Department may provide by regulation for issuance of a special  
5 charter boat license that shall be effective for not more than 1 year and shall expire on August  
6 31 and that would be valid for all individuals on a [charter boat] SINGLE VESSEL operated  
7 by a [licensed] fishing guide LICENSED UNDER § 4-210.1 OR § 4-701 OF THIS TITLE OR  
8 FOR ALL INDIVIDUALS ON A VESSEL UNDER THE GUIDANCE OF A FISHING GUIDE  
9 LICENSED UNDER § 4-210 OF THIS TITLE in tidal waters of the State. The fee shall be:

10 (i) For 6 fishermen or less ..... \$240.

11 (ii) For 7 or more fishermen ..... \$290.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2019.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.