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**By: Senator Munson**

Introduced and read first time: January 15, 1996

Assigned to: Economic and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Fisheries and Wildlife Endowment Funds - Lifetime Licenses**

3 FOR the purpose of establishing the Fisheries Endowment Fund and the Wildlife  
4 Endowment Fund as special, nonlapsing funds for certain purposes and subject to  
5 certain restrictions; establishing resident consolidated sport fishing licenses to be  
6 issued to certain persons under certain circumstances and conditions; establishing  
7 resident consolidated hunting licenses to be issued to certain persons under certain  
8 circumstances and conditions; providing for the establishment, disposition, and  
9 adjustment of certain license fees; providing that certain licenses may be subject to  
10 permanent revocation for certain violations; providing for the issuance of certain  
11 complimentary licenses to certain individuals; repealing an obsolete reference;  
12 providing for the effective date of this Act; and generally relating to the Fisheries  
13 and Wildlife Endowment Funds, and fishing and hunting licenses.

14 BY adding to

15 Article - Natural Resources  
16 Section 4-217, 4-218, 4-604(d)(8), and 4-745(c)(10)  
17 Annotated Code of Maryland  
18 (1989 Replacement Volume and 1995 Supplement)

19 BY repealing and reenacting, with amendments,

20 Article - Natural Resources  
21 Section 4-604(d)(6) and (7), 4-607, 4-614(a)(1), and 4-745(c)(8) and (9)  
22 Annotated Code of Maryland  
23 (1989 Replacement Volume and 1995 Supplement)

24 BY adding to

25 Article - Natural Resources  
26 Section 10-211 and 10-301(n) and (o)  
27 Annotated Code of Maryland  
28 (1990 Replacement Volume and 1995 Supplement)

29 BY repealing and reenacting, with amendments,

30 Article - Natural Resources  
31 Section 10-301(f) and (h), 10-303, 10-304, and 10-305

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1 Annotated Code of Maryland  
2 (1990 Replacement Volume and 1995 Supplement)

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

5 **Article - Natural Resources**

6 4-217.

7 (A) THE GENERAL ASSEMBLY FINDS THAT IT IS IN THE PUBLIC INTEREST TO  
8 PROVIDE SECURE, LONG-TERM FUNDING FOR THE CONSERVATION,  
9 PRESERVATION, AND MANAGEMENT OF MARYLAND'S FISHERY RESOURCES.

10 (B) (1) THERE IS A FISHERIES ENDOWMENT FUND IN THE DEPARTMENT.

11 (2) THE FUND CONSISTS OF:

12 (I) PROCEEDS FROM THE SALE OF RESIDENT LIFETIME  
13 CONSOLIDATED SPORT FISHING LICENSES; AND

14 (II) GIFTS, GRANTS, AND CONTRIBUTIONS TO THE STATE THAT  
15 ARE DESIGNATED FOR INCLUSION IN THE FUND.

16 (3) THE SECRETARY MAY USE THE FUND ONLY FOR THE PURPOSES OF:

17 (I) FISHERIES CONSERVATION, PRESERVATION, AND  
18 MANAGEMENT PROGRAMS OF THE DEPARTMENT; AND

19 (II) ADMINISTRATION OF THE RESIDENT LIFETIME  
20 CONSOLIDATED SPORT FISHING LICENSE PROGRAM.

21 (4) (I) THE FUND IS A CONTINUING, NONLAPSING SPECIAL FUND, AND  
22 IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

23 (II) THE STATE TREASURER SHALL HOLD AND THE STATE  
24 COMPTROLLER SHALL ACCOUNT FOR THE FUND.

25 (III) THE FUND SHALL BE INVESTED AND REINVESTED AND ANY  
26 INVESTMENT EARNINGS SHALL BE PAID INTO THE FUND.

27 4-218.

28 (A) (1) THE DEPARTMENT SHALL ESTABLISH A RESIDENT LIFETIME  
29 CONSOLIDATED SPORT FISHING LICENSE, TO BE ISSUED TO RESIDENTS OF  
30 MARYLAND.

31 (2) THE RESIDENT LIFETIME CONSOLIDATED SPORT FISHING LICENSE  
32 ALLOWS THE PURCHASER TO FISH RECREATIONALLY IN THE TIDAL AND NONTIDAL  
33 WATERS OF THE STATE FOR THE REMAINDER OF THE PURCHASER'S LIFE WITHOUT  
34 THE PURCHASE OF ANY LICENSE OR STAMP LISTED IN §§ 4-216, 4-604, 4-614, AND  
35 4-745(A) OF THIS TITLE.

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1 (3) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE FEES FOR  
2 THE RESIDENT LIFETIME CONSOLIDATED SPORT FISHING LICENSE SHALL BE AS  
3 FOLLOWS:

- 4 (I) AGE 0-15.....\$650
- 5 (II) AGE 16-35.....\$625
- 6 (III) AGE 36-50.....\$500
- 7 (IV) AGE 51-64.....\$325

8 (4) FEES FOR A RESIDENT LIFETIME CONSOLIDATED SPORT FISHING  
9 LICENSE SHALL BE ADJUSTED EVERY 3 YEARS TO INCLUDE THE RATE OF INFLATION  
10 AS CALCULATED BY THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS  
11 (CPI-U), U.S. CITY AVERAGE, ALL ITEMS, 1982-84=100 AS PUBLISHED BY THE U.S.  
12 DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS.

13 (5) IF, AFTER THE PURCHASE OF THE RESIDENT LIFETIME  
14 CONSOLIDATED SPORT FISHING LICENSE, THE HOLDER ESTABLISHES RESIDENCE IN  
15 ANOTHER STATE, THE LICENSE REMAINS VALID AND THE HOLDER MAY:

16 (I) CONTINUE TO HOLD AND USE THE LICENSE IN MARYLAND;  
17 AND

18 (II) PURCHASE APPROPRIATE STAMPS, AS REQUIRED, AT THE FEE  
19 SET FOR A MARYLAND RESIDENT.

20 (B) (1) THE HOLDER OF A RESIDENT LIFETIME CONSOLIDATED SPORT  
21 FISHING LICENSE MAY NOT GIVE, SELL, OFFER TO SELL, TRANSFER IN ANY WAY, OR  
22 ARRANGE TO TRANSFER USE OF THE LICENSE TO ANOTHER INDIVIDUAL.

23 (2) IN ADDITION TO ANY OTHER PENALTY UNDER THIS TITLE, THE  
24 DEPARTMENT MAY PERMANENTLY REVOKE THE RESIDENT LIFETIME  
25 CONSOLIDATED SPORT FISHING LICENSE OF A PERSON WHO VIOLATES ANY  
26 PROVISION OF THIS SUBSECTION.

27 (C) THE DEPARTMENT MAY NOT REFUND A FEE FOR A RESIDENT LIFETIME  
28 CONSOLIDATED SPORT FISHING LICENSE TO THE HOLDER OF THE LICENSE.

29 (D) ON APPLICATION AND PAYMENT OF A REPLACEMENT FEE THAT THE  
30 DEPARTMENT SETS BY REGULATION, THE DEPARTMENT SHALL ISSUE A  
31 REPLACEMENT LICENSE TO A PERSON WHO HAS LOST THE PERSON'S RESIDENT  
32 LIFETIME CONSOLIDATED SPORT FISHING LICENSE.

33 4-604.

34 (d) An angler's license is not required of the following:

35 (6) A person who fishes in nontidal waters of the State on freefishing days  
36 designated by the Secretary; [or]

37 (7) A person holding a current resident consolidated senior sport fishing  
38 license issued under § 4-216 of this title[.]; OR

4  
1 (8) A PERSON HOLDING A RESIDENT LIFETIME CONSOLIDATED SPORT  
2 FISHING LICENSE ISSUED UNDER § 4-218 OF THIS TITLE.

3 4-607.

4 (a) (1) The Department may issue annually a complimentary angler's license to  
5 the President of the United States, the governor of any state[, any Maryland resident who  
6 certifies that he or she is a former prisoner of war or 100 percent service connected  
7 disabled American veteran,] and any official of the game and fish department of any  
8 other state. [However, not]

9 (2) NOT more than 20 complimentary licenses for each state other than  
10 Maryland [shall] MAY be outstanding at any time.

11 (3) A complimentary license is not transferable and shall be issued without  
12 a fee on forms the Department designates.

13 (b) (1) For the purposes of this [section] SUBSECTION, "former prisoner of  
14 war" means a person who, while serving in the active military, naval, or air service of the  
15 United States, was forcibly detained or interned in the line of duty by an enemy  
16 government or its agents, or a hostile force, during a period of armed conflict.

17 (2) THE DEPARTMENT MAY ISSUE A COMPLIMENTARY RESIDENT  
18 LIFETIME CONSOLIDATED SPORT FISHING LICENSE UNDER § 4-218 OF THIS TITLE,  
19 WITHOUT A FEE, TO ANY MARYLAND RESIDENT WHO CERTIFIES THAT THE  
20 RESIDENT IS A FORMER PRISONER OF WAR OR 100% SERVICE CONNECTED  
21 DISABLED AMERICAN VETERAN.

22 4-614.

23 (a) (1) (I) Except for a holder of a current resident consolidated senior sport  
24 fishing license issued under § 4-216 of this title, OR A HOLDER OF A RESIDENT  
25 LIFETIME CONSOLIDATED SPORT FISHING LICENSE ISSUED UNDER § 4-218 OF THIS  
26 TITLE, a person 16 years old or older may not fish in any special catch-and-return trout  
27 management area and may not possess trout while fishing in nontidal waters unless the  
28 person first obtains a trout stamp in addition to an angler's license.

29 (II) The stamp shall be obtained from any authorized agent of the  
30 Department at a cost of \$5.

31 (III) The Department may designate a person engaged in a retail  
32 business to sell the trout stamp as an agent under the Department's control and  
33 supervision.

34 (IV) The trout stamps may be furnished to agents upon consignment if  
35 the Department is given adequate security to insure ultimate payment to the Department  
36 for the stamps.

37 4-745.

38 (c) A person may fish for finfish in the Chesapeake Bay or its tidal tributaries  
39 without a Chesapeake Bay sport fishing license if the person:

40 (8) Fishes on a free fishing day designated by the Secretary; [or]

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1 (9) Holds a current resident consolidated senior sport fishing license issued  
2 under § 4-216 of this title[.]; OR

3 (10) HOLDS A RESIDENT LIFETIME CONSOLIDATED SPORT FISHING  
4 LICENSE ISSUED UNDER § 4-218 OF THIS TITLE.

5 10-211.

6 (A) THE GENERAL ASSEMBLY FINDS THAT IT IS IN THE PUBLIC INTEREST TO  
7 PROVIDE SECURE, LONG-TERM FUNDING FOR THE CONSERVATION,  
8 PRESERVATION, AND MANAGEMENT OF MARYLAND'S WILDLIFE RESOURCES.

9 (B) (1) THERE IS A WILDLIFE ENDOWMENT FUND IN THE DEPARTMENT.

10 (2) THE FUND CONSISTS OF:

11 (I) PROCEEDS FROM THE SALE OF RESIDENT LIFETIME  
12 CONSOLIDATED HUNTING LICENSES; AND

13 (II) GIFTS, GRANTS, AND CONTRIBUTIONS TO THE STATE THAT  
14 ARE DESIGNATED FOR INCLUSION IN THE FUND.

15 (3) THE SECRETARY MAY USE THE FUND ONLY FOR THE PURPOSES OF:

16 (I) WILDLIFE CONSERVATION, PRESERVATION, AND  
17 MANAGEMENT PROGRAMS OF THE DEPARTMENT; AND

18 (II) ADMINISTRATION OF THE RESIDENT LIFETIME  
19 CONSOLIDATED HUNTING LICENSE PROGRAM.

20 (4) PROCEEDS THAT ACCRUE TO THIS FUND FROM THE SALE OF  
21 LIFETIME CONSOLIDATED HUNTING LICENSES SHALL BE USED FOR THE BENEFIT OF  
22 GAME SPECIES.

23 (5) (I) THE FUND IS A CONTINUING, NONLAPSING SPECIAL FUND, AND  
24 IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

25 (II) THE STATE TREASURER SHALL HOLD AND THE STATE  
26 COMPTROLLER SHALL ACCOUNT FOR THE FUND.

27 (III) THE FUND SHALL BE INVESTED AND REINVESTED AND ANY  
28 INVESTMENT EARNINGS SHALL BE PAID INTO THE FUND.

29 10-301.

30 (f) (1) There shall be the following types of hunting licenses in the State:

31 (i) A resident consolidated hunting license that enables the purchaser  
32 to hunt all legal game birds and mammals during any appropriate season in Maryland  
33 without the purchase of additional stamps, except that to hunt wild waterfowl the  
34 purchaser must also buy a Maryland migratory wild waterfowl stamp and a federal  
35 migratory bird hunting and conservation stamp.

36 (ii) A resident basic hunting license that enables the purchaser to hunt  
37 all legal game birds and mammals during any appropriate season without the purchase of

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1 additional stamps unless the purchaser is hunting deer or wild waterfowl. This license  
2 enables the purchaser to hunt deer only with the purchase of the appropriate deer stamps  
3 and to hunt wild waterfowl only with the purchase of a Maryland migratory wild  
4 waterfowl stamp and a federal migratory bird hunting and conservation stamp.

5 (iii) A nonresident basic hunting license that enables the purchaser to  
6 hunt all legal game birds and mammals during any appropriate season without the  
7 purchase of additional stamps unless the purchaser is hunting wild waterfowl or deer  
8 during bow and arrow season or black powder season. This license enables the purchaser  
9 to hunt wild waterfowl only with the purchase of a Maryland migratory wild waterfowl  
10 stamp and a federal migratory bird hunting and conservation stamp. This license enables  
11 the purchaser to hunt deer during bow and arrow season and black powder season only  
12 with the purchase of the appropriate deer stamp.

13 (iv) A nonresident 3-day hunting license that enables the purchaser to  
14 hunt all legal game birds and mammals except deer and turkey for the 3 consecutive legal  
15 hunting days in a single season that are specified on the license by the issuing court clerk  
16 or agent. The purchaser must also purchase a Maryland migratory wild waterfowl stamp  
17 and a federal migratory bird hunting and conservation stamp to hunt wild waterfowl with  
18 this license. Under no circumstance does this license authorize the purchaser to hunt deer  
19 and turkey.

20 (V) A RESIDENT LIFETIME CONSOLIDATED HUNTING LICENSE  
21 THAT ENABLES THE PURCHASER TO HUNT ALL LEGAL GAME BIRDS AND MAMMALS  
22 FOR THE REMAINDER OF THE PURCHASER'S LIFE DURING ANY APPROPRIATE  
23 SEASON IN MARYLAND, WITH THE PURCHASE OF APPROPRIATE FEDERAL WILD  
24 WATERFOWL STAMPS AND MARYLAND WILD WATERFOWL STAMPS UNDER  
25 PARAGRAPH (8)(IV) OF THIS SUBSECTION AND § 10-308.1 OF THIS SUBTITLE, AND THE  
26 PURCHASE OF APPROPRIATE SECOND DEER STAMPS UNDER PARAGRAPH (8)(V) OF  
27 THIS SUBSECTION, BUT WITHOUT THE PURCHASE OF OTHER INDIVIDUAL HUNTING  
28 STAMPS LISTED IN PARAGRAPH (8) OF THIS SUBSECTION.

29 (2) IF, AFTER THE PURCHASE OF THE RESIDENT LIFETIME  
30 CONSOLIDATED HUNTING LICENSE UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION,  
31 THE HOLDER ESTABLISHES RESIDENCE IN ANOTHER STATE, THE LICENSE REMAINS  
32 VALID AND THE HOLDER MAY:

33 (I) CONTINUE TO HOLD AND USE THE LICENSE IN MARYLAND;  
34 AND

35 (II) PURCHASE APPROPRIATE STAMPS, AS REQUIRED, AT THE FEE  
36 SET FOR A MARYLAND RESIDENT.

37 [(2)] (3) Residents who are at least 65 years old may purchase a senior  
38 consolidated license which shall be valid for the remainder of the purchaser's life.

39 [(3)] (4) Residents who are at least 65 years old may purchase a senior  
40 consolidated annual license.

41 [(4)] (5) A nonresident of any age must purchase either a nonresident basic  
42 hunting license or a nonresident 3-day hunting license to hunt in the State.

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1 [(5)] (6) The fees for hunting licenses are according to the following  
2 schedule:

3 (i) Resident, under the age of 16 years:

4 1. Basic hunting license.....\$ 6.50

5 2. Consolidated hunting license.....\$15.50

6 (ii) Resident, at least 16 years old and under the age of 65 years:

7 1. Basic hunting license.....\$15.50

8 2. Consolidated hunting license.....\$24.50

9 (iii) 1. Senior consolidated annual license for residents at least 65  
10 years old.....\$ 1.25

11 2. Senior consolidated lifetime license for residents at least 65  
12 years old.....\$12.50

13 (IV) SUBJECT TO PARAGRAPH (7) OF THIS SUBSECTION, RESIDENT  
14 LIFETIME CONSOLIDATED HUNTING LICENSE:

15 1. AGE 0-15.....\$725

16 2. AGE 16-35.....\$700

17 3. AGE 36-50.....\$500

18 4. AGE 51-64.....\$300.

19 [(iv)] (V) Except as provided in subparagraph [(v)] (VI) of this  
20 paragraph, nonresident basic..... \$120.50

21 [(v)] (VI) Nonresident basic hunting license for residents of Delaware,  
22 Pennsylvania, Virginia, and West Virginia.....\$83.00

23 or a fee equal to the fee charged by the nonresident's home state for a similar basic  
24 hunting license, whichever fee is greater.

25 [(vi)] (VII) Complimentary license authorized to be issued under §  
26 10-303 of this subtitle.....No fee

27 [(vii)] (VIII) Nonresident 3-day hunting license....\$35.0

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28 (7) FEES FOR A RESIDENT LIFETIME CONSOLIDATED HUNTING LICENSE  
29 SHALL BE ADJUSTED EVERY 3 YEARS TO INCLUDE THE RATE OF INFLATION AS  
30 CALCULATED BY THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS  
31 (CPI-U), U.S. CITY AVERAGE, ALL ITEMS, 1982-84=100 AS PUBLISHED BY THE U.S.  
32 DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS.

33 [(6)] (8) The fees for individual hunting stamps are according to the  
34 following schedule:

35 (i) Deer stamp.....\$ 9.50

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1 (ii) Bow and arrow stamp.....\$ 3.50

2 (iii) Black powder stamp.....\$ 3.50

3 (iv) Maryland migratory wild waterfowl stamp.....\$ 6.00

4 (v) Resident second deer stamp for each type of deer hunting  
5 season.....\$5.00

6 (vi) Nonresident second deer stamp for each type of deer hunting  
7 season.....\$10.00

8 (h) [A] EXCEPT FOR A RESIDENT LIFETIME CONSOLIDATED HUNTING  
9 LICENSE ISSUED UNDER SUBSECTION (F)(1)(V) OF THIS SECTION, OR A SENIOR  
10 CONSOLIDATED LIFETIME LICENSE ISSUED UNDER SUBSECTION (F)(3) OF THIS  
11 SECTION, A hunting license shall be valid for the period August 1 through July 31, of each  
12 year.

13 (N) (1) THE HOLDER OF A RESIDENT LIFETIME CONSOLIDATED HUNTING  
14 LICENSE MAY NOT GIVE, SELL, OFFER TO SELL, TRANSFER IN ANY WAY, OR  
15 ARRANGE TO TRANSFER USE OF THE LICENSE TO ANOTHER INDIVIDUAL.

16 (2) IN ADDITION TO ANY OTHER PENALTY UNDER THIS TITLE, THE  
17 DEPARTMENT MAY PERMANENTLY REVOKE THE RESIDENT LIFETIME  
18 CONSOLIDATED HUNTING LICENSE OF A PERSON WHO VIOLATES ANY PROVISION  
19 OF THIS SUBSECTION.

20 (O) THE DEPARTMENT MAY NOT REFUND A FEE FOR A RESIDENT LIFETIME  
21 CONSOLIDATED HUNTING LICENSE TO THE HOLDER OF THE LICENSE.

22 10-303.

23 (a) (1) The Department annually may issue a complimentary hunter's license to  
24 the President of the United States[,] OR the governor of any state[, any Maryland  
25 resident who certifies that the resident is a former prisoner of war or 100% service  
26 connected disabled American veteran].

27 (2) A complimentary license is not transferable and shall be issued on forms  
28 designated by the Department.

29 (b) (1) For the purposes of this [section] SUBSECTION, "former prisoner of  
30 war" means a person who, while serving in the active military, naval, or air service of the  
31 United States, was forcibly detained or interned in the line of duty by an enemy  
32 government or its agents, or a hostile force, during a period of armed conflict.

33 (2) THE DEPARTMENT MAY ISSUE A COMPLIMENTARY RESIDENT  
34 LIFETIME CONSOLIDATED HUNTING LICENSE UNDER § 10-301(F)(1)(V) OF THIS  
35 SUBTITLE, WITHOUT A FEE, TO ANY MARYLAND RESIDENT WHO CERTIFIES THAT  
36 THE RESIDENT IS A FORMER PRISONER OF WAR OR 100% SERVICE CONNECTED  
37 DISABLED AMERICAN VETERAN.



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1 10-304.

2 [Any] EXCEPT FOR FEES FROM THE SALE OF RESIDENT LIFETIME  
3 CONSOLIDATED HUNTING LICENSES ISSUED UNDER § 10-301(F)(1)(V) OF THIS  
4 SUBTITLE, ANY money the Department receives for hunter's licenses shall be accounted  
5 for by the Department to the State Treasurer. The amount the Treasurer receives shall be  
6 credited to the State Wildlife Management and Protection Fund, and the Treasurer shall  
7 pay out of the Fund on warrant of the Comptroller upon requisition of the Department.

8 10-305.

9 (A) If any person loses the person's hunter's license, the person may make  
10 affidavit stating the date the license was issued, its number, description, and the [name of  
11 the court clerk or] designated person who issued the license. Upon receipt of this  
12 information the Department may issue a duplicate hunting license [for a \$1 fee].

13 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE  
14 FEE FOR A DUPLICATE HUNTING LICENSE IS \$1.

15 (2) THE FEE FOR A DUPLICATE RESIDENT LIFETIME CONSOLIDATED  
16 HUNTING LICENSE IS \$5.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 August 1, 1996.