
By: **Delegates Donoghue, McKee, Stup, Snodgrass, and Hecht**
Introduced and read first time: February 13, 1998
Assigned to: Environmental Matters

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

15 BY adding to
16 Article - Natural Resources
17 Section 4-217, 4-218, 4-604(d)(8), and 4-745(c)(10)
18 Annotated Code of Maryland
19 (1997 Replacement Volume and 1997 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article - Natural Resources
22 Section 4-604(d)(6) and (7), 4-607, 4-614(a)(1), and 4-745(c)(8) and (9)
23 Annotated Code of Maryland
24 (1997 Replacement Volume and 1997 Supplement)

25 BY adding to
26 Article - Natural Resources
27 Section 10-211 and 10-301(n) and (o)
28 Annotated Code of Maryland
29 (1990 Replacement Volume and 1997 Supplement)

1 BY repealing and reenacting, with amendments,
2 Article - Natural Resources
3 Section 10-301(f) and (h), 10-303, 10-304, and 10-305
4 Annotated Code of Maryland
5 (1990 Replacement Volume and 1997 Supplement)

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

8 **Article - Natural Resources**

9 4-217.

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

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

14 (2) THE FUND CONSISTS OF:

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

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

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

20 (I) FISHERIES CONSERVATION, PRESERVATION, AND
21 MANAGEMENT PROGRAMS OF THE DEPARTMENT; AND

22 (II) ADMINISTRATION OF THE RESIDENT LIFETIME CONSOLIDATED
23 SPORT FISHING LICENSE PROGRAM.

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

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

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

30 4-218.

31 (A) (1) THE DEPARTMENT SHALL ESTABLISH A RESIDENT LIFETIME
32 CONSOLIDATED SPORT FISHING LICENSE, TO BE ISSUED TO RESIDENTS OF
33 MARYLAND.

1 (2) THE RESIDENT LIFETIME CONSOLIDATED SPORT FISHING LICENSE
2 ALLOWS THE PURCHASER TO FISH RECREATIONALLY IN THE TIDAL AND NONTIDAL
3 WATERS OF THE STATE FOR THE REMAINDER OF THE PURCHASER'S LIFE WITHOUT
4 THE PURCHASE OF ANY LICENSE OR STAMP LISTED IN §§ 4-216, 4-604, 4-614, AND
5 4-745 OF THIS TITLE.

6 (3) IF, AFTER THE PURCHASE OF THE RESIDENT LIFETIME
7 CONSOLIDATED SPORT FISHING LICENSE, THE HOLDER ESTABLISHES RESIDENCE IN
8 ANOTHER STATE, THE LICENSE REMAINS VALID, THE HOLDER MAY CONTINUE TO
9 HOLD THE LICENSE AND USE THE LICENSE IN MARYLAND, AND MAY PURCHASE
10 APPROPRIATE STAMPS, AS REQUIRED, AT THE FEE SET FOR A MARYLAND RESIDENT.

11 (B) (1) THE DEPARTMENT SHALL ESTABLISH BY REGULATION A SCHEDULE
12 OF FEES FOR THE RESIDENT LIFETIME CONSOLIDATED SPORT FISHING LICENSE.

13 (2) THE FEE FOR THE LICENSE MAY VARY DEPENDING ON THE AGE OF
14 THE APPLICANT.

15 (3) THE DEPARTMENT SHALL SET FEES FOR THE LICENSE SUFFICIENT
16 TO ENSURE THE LONG-TERM FINANCIAL SECURITY OF THE FISHERIES ENDOWMENT
17 FUND UNDER § 4-217 OF THIS SUBTITLE.

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

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

25 (D) THE DEPARTMENT MAY NOT REFUND A FEE FOR A RESIDENT LIFETIME
26 CONSOLIDATED SPORT FISHING LICENSE TO THE HOLDER OF THE LICENSE.

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

31 4-604.

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

33 (6) A person who fishes in nontidal waters of the State on free fishing
34 days designated by the Secretary; [or]

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

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
5 license to the President of the United States, the governor of any state, [any
6 Maryland resident who certifies that he or she is a former prisoner of war or 100
7 percent service connected disabled American veteran,] and any official of the game
8 and fish department of any 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
12 without 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
15 the 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 RESIDENT
20 IS A FORMER PRISONER OF WAR OR 100% SERVICE CONNECTED DISABLED AMERICAN
21 VETERAN.

22 4-614.

23 (a) (1) (I) Except for a holder of a current resident consolidated senior
24 sport 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
27 trout management area and may not possess trout while fishing in nontidal waters
28 unless the 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
35 if the Department is given adequate security to insure ultimate payment to the
36 Department for the stamps.

1 4-745.

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

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

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

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

9 10-211.

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

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

14 (2) THE FUND CONSISTS OF:

15 (I) PROCEEDS FROM THE SALE OF RESIDENT LIFETIME
16 CONSOLIDATED HUNTING LICENSES; AND

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

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

20 (I) WILDLIFE CONSERVATION, PRESERVATION, AND
21 MANAGEMENT PROGRAMS OF THE DEPARTMENT; AND

22 (II) ADMINISTRATION OF THE RESIDENT LIFETIME CONSOLIDATED
23 HUNTING LICENSE PROGRAM.

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

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

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

30 10-301.

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

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

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

13 (iii) A nonresident basic hunting license that enables the purchaser
14 to hunt all legal game birds and mammals during any appropriate season without the
15 purchase of additional stamps unless the purchaser is hunting wild waterfowl or deer
16 during bow and arrow season or black powder season. This license enables the
17 purchaser to hunt wild waterfowl only with the purchase of a Maryland migratory
18 wild waterfowl stamp and a federal migratory bird hunting and conservation stamp.
19 This license enables the purchaser to hunt deer during bow and arrow season and
20 black powder season only with the purchase of the appropriate deer stamp.

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

28 (V) 1. A RESIDENT LIFETIME CONSOLIDATED HUNTING LICENSE
29 THAT ENABLES THE PURCHASER TO HUNT ALL LEGAL GAME BIRDS AND MAMMALS
30 FOR THE REMAINDER OF THE PURCHASER'S LIFE DURING ANY APPROPRIATE
31 SEASON IN MARYLAND, WITH THE PURCHASE OF APPROPRIATE FEDERAL WILD
32 WATERFOWL STAMPS AND MARYLAND WILD WATERFOWL STAMPS UNDER
33 PARAGRAPH (7)(IV) OF THIS SUBSECTION AND § 10-308.1 OF THIS SUBTITLE, AND THE
34 PURCHASE OF APPROPRIATE SECOND DEER STAMPS UNDER PARAGRAPHS (7)(V) AND
35 (7)(VI) OF THIS SUBSECTION, BUT WITHOUT THE PURCHASE OF OTHER INDIVIDUAL
36 HUNTING STAMPS LISTED IN PARAGRAPH (7) OF THIS SUBSECTION.

37 2. IF, AFTER THE PURCHASE OF THE RESIDENT LIFETIME
38 CONSOLIDATED HUNTING LICENSE, THE HOLDER ESTABLISHES RESIDENCE IN
39 ANOTHER STATE, THE LICENSE REMAINS VALID, THE HOLDER MAY CONTINUE TO
40 HOLD THE LICENSE AND USE THE LICENSE IN MARYLAND, AND MAY PURCHASE
41 APPROPRIATE STAMPS, AS REQUIRED, AT THE FEE SET FOR A MARYLAND RESIDENT.

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

1 (3) Residents who are at least 65 years old may purchase a senior
2 consolidated annual license.

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

5 (5) The fees for hunting licenses are according to the following schedule:

- 6 (i) Resident, under the age of 16 years:
 - 7 1. Basic hunting license \$ 6.50
 - 8 2. Consolidated hunting license..... \$15.50
- 9 (ii) Resident, at least 16 years old and under the age of 65 years:
 - 10 1. Basic hunting license \$15.50
 - 11 2. Consolidated hunting license..... \$24.50
- 12 (iii) 1. Senior consolidated annual license for residents at least 65
13 years old \$ 1.25
- 14 2. Senior consolidated lifetime license for residents at least
15 65 years old..... \$12.50

16 (IV) RESIDENT LIFETIME CONSOLIDATED HUNTING LICENSE.....AS
17 SET BY REGULATION

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

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

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

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

26 [(vii)] (VIII) Nonresident 3-day hunting license \$35.00

27 (6) (I) THE DEPARTMENT SHALL ESTABLISH BY REGULATION A
28 SCHEDULE OF FEES FOR THE RESIDENT LIFETIME CONSOLIDATED HUNTING
29 LICENSE.

30 (II) THE FEE FOR THE LICENSE MAY VARY DEPENDING ON THE AGE
31 OF THE APPLICANT.

1 (III) THE DEPARTMENT SHALL SET FEES FOR THE LICENSE
2 SUFFICIENT TO ENSURE THE LONG-TERM FINANCIAL SECURITY OF THE WILDLIFE
3 ENDOWMENT FUND UNDER § 10-211 OF THIS TITLE.

4 [(6)] (7) The fees for individual hunting stamps are according to the
5 following schedule:

6	(i)	Deer stamp.....	\$ 9.50
7	(ii)	Bow and arrow stamp.....	\$ 3.50
8	(iii)	Black powder stamp.....	\$ 3.50
9	(iv)	Maryland migratory wild waterfowl stamp.....	\$ 6.00
10	(v)	Resident second deer stamp for each type of deer hunting	
11		season.....	\$5.00
12	(vi)	Nonresident second deer stamp for each type of deer hunting	
13		season.....	\$10.00

14 (h) [A] EXCEPT FOR A RESIDENT LIFETIME CONSOLIDATED HUNTING
15 LICENSE ISSUED UNDER SUBSECTION (F)(1)(V) OF THIS SECTION, OR A SENIOR
16 CONSOLIDATED LIFETIME LICENSE ISSUED UNDER SUBSECTION (F)(2) OF THIS
17 SECTION, A hunting license shall be valid for the period August 1 through July 31, of
18 each year.

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

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

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

28 10-303.

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

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

35 (b) (1) For the purposes of this [section] SUBSECTION, "former prisoner of
36 war" means a person who, while serving in the active military, naval, or air service of

1 the United States, was forcibly detained or interned in the line of duty by an enemy
2 government or its agents, or a hostile force, during a period of armed conflict.

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

8 10-304.

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

16 10-305.

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

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

23 (2) THE DEPARTMENT MAY ESTABLISH BY REGULATION A FEE FOR A
24 DUPLICATE RESIDENT LIFETIME CONSOLIDATED HUNTING LICENSE.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 August 1, 1998.