

HOUSE BILL 733

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1999 Regular Session
9r1753
CF 9r1740

By: **Delegates Weir, Guns, DeCarlo, Ports, Hubers, Dewberry, McHale,
Rosso, Bobo, Klausmeier, Redmer, Cadden, Minnick, and Rudolph**

Introduced and read first time: February 12, 1999

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Fish - Permits and Fees**

3 FOR the purpose of increasing the cost of certain Chesapeake Bay sport fishing
4 licenses; increasing the commission of a certain designated Chesapeake Bay
5 sport fishing license agent; increasing the cost of a certain special license;
6 repealing striped bass stamp and tag provisions; and generally relating to fish
7 permits and fees.

8 BY repealing and reenacting, with amendments,
9 Article - Natural Resources
10 Section 4-745(a), (b), and (d)(2)
11 Annotated Code of Maryland
12 (1997 Replacement Volume and 1998 Supplement)

13 BY repealing
14 Article - Natural Resources
15 Section 4-745.2
16 Annotated Code of Maryland
17 (1997 Replacement Volume and 1998 Supplement)

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

20 **Article - Natural Resources**

21 4-745.

22 (a) (1) Except as provided in subsections (c) and (d) of this section, a person
23 may not fish for finfish in the Chesapeake Bay or in its tributaries up to tidal
24 boundaries without first obtaining a Chesapeake Bay sport fishing license.

25 (2) The license may be obtained from the Department or from any
26 authorized agent of the Department. The following annual license fees shall apply:

- 1 (i) Resident..... [\$7] \$9
- 2 (ii) Short term license valid for 5 consecutive days from date of
- 3 issue..... [\$4] \$6
- 4 (iii) Nonresident..... [\$12] \$14
- 5 (iv) Resident and nonresident blind persons..... No fee

6 (3) Except for a license issued under subsection (d) of this section, every
 7 Chesapeake Bay sport fishing license shall be valid for not more than 1 year and shall
 8 expire on December 31.

9 (b) (1) The Department may designate a person engaged in a commercial
 10 enterprise to sell the Chesapeake Bay sport fishing license as an agent under the
 11 Department's control and supervision.

12 (2) As compensation, the agent shall retain [50 cents] \$1 for each license
 13 issued.

14 (3) The Chesapeake Bay sport fishing license shall be furnished to an
 15 agent upon satisfactory payment or upon consignment and only if the Department is
 16 given adequate security to insure ultimate payment by an agent to the Department
 17 for the licenses.

18 (4) All fees collected on behalf of the Department pursuant to this section
 19 shall be remitted to the Department in accordance with its rules and regulations for
 20 deposit with the State Treasurer to the credit of the Fisheries Research and
 21 Development Fund to be used for the replenishment, protection, and conservation of
 22 fish stocks caught by recreational fishermen, for enhancement of recreational fishing
 23 opportunities, and for research concerning tidal fishery resources. The Department
 24 shall publicly report annually the amounts collected and the expenditures.

25 (5) In the preparation of plans for the expenditure of license receipts, the
 26 Secretary annually shall solicit the advice and opinions of the Department's Sport
 27 Fisheries Advisory Commission, representative fishing and boating associations, and
 28 other interested parties.

29 (d) (2) (i) The Department may provide by regulation for issuance of an
 30 annual special Chesapeake Bay sport fishing license, which when permanently
 31 affixed to a boat registered in Maryland, shall authorize any person on the boat to
 32 fish for finfish in the Chesapeake Bay or in its tributaries up to tidal boundaries,
 33 except that such a license may not be used on a boat which has been hired to take
 34 such persons fishing.

35 (ii) The annual fee for this special license shall be [\$30] \$40.

36 (iii) If a boat owner purchases the special license under this
 37 paragraph, the boat owner may fish anywhere in the Chesapeake Bay, whether the
 38 boat owner is fishing in the owner's boat, in another person's boat, on land, or

1 elsewhere. The Department shall issue a complimentary Chesapeake Bay sport
2 fishing license to the boat owner who purchases a special license under this
3 paragraph. If a boat to which the special license is affixed has more than one owner,
4 then only the individual applicant who signs the application for the special license
5 shall be entitled to a complimentary Chesapeake Bay sport fishing license under this
6 paragraph.

7 [4-745.2.

8 (a) (1) The Department shall provide by regulation for the issuance of a
9 striped bass stamp and, except as provided in paragraph (2) of this subsection, may
10 issue nonreusable tags for a person to possess striped bass during a striped bass
11 season, in addition to a Chesapeake Bay sport fishing license or consolidated senior
12 sport fishing license.

13 (2) The Department shall issue nonreusable tags for a person to possess
14 striped bass during the spring trophy season, in addition to a Chesapeake Bay sport
15 fishing license or consolidated senior sport fishing license.

16 (b) The striped bass stamp and tags shall be obtained from any authorized
17 agent of the Department at a cost of \$2. At the time of purchase of the stamp, the
18 agent shall provide to the license holder each nonreusable tag which the holder may
19 use during the licensing period. As compensation, the agent shall retain 25 cents for
20 each striped bass stamp issued.

21 (c) The Department may designate a person engaged in a retail business to
22 sell the striped bass stamp and tags as an agent under the Department's control and
23 supervision. The striped bass stamps and tags may be furnished to agents on
24 consignment if the Department is given adequate security to ensure ultimate
25 payment to the Department for the stamps and tags.

26 (d) A striped bass stamp shall be attached to the holder's Chesapeake Bay
27 sport fishing license or consolidated senior sport fishing license. The striped bass
28 stamp shall expire at the same time as the license to which it is attached.

29 (e) Notwithstanding the provisions of subsection (a) of this section, a person
30 who employs a fishing guide licensed under § 4-210 of this title may not be required
31 to obtain a striped bass stamp in order to possess striped bass taken while employing
32 the fishing guide during a striped bass season. A fishing guide shall obtain
33 nonreusable striped bass tags from the Department if required, and shall reimburse
34 the Department for the cost of the tags.

35 (f) The Department shall deposit to the credit of the Fisheries Research and
36 Development Fund all fees received for striped bass stamps. All moneys collected
37 from the sale of striped bass stamps shall be used by the Department for striped bass
38 management.

39 (g) The Department, by regulation, may establish catch limits and other limits
40 for each season and authorize means of enforcing the limits imposed for a season.]

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1999.