

SENATE BILL 427

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1999 Regular Session
9r1740
CF 9r1753

By: ~~Senator Collins~~ **Senators Collins, Dorman, Jimeno, Pinsky, Stone, and Sfikas**

Introduced and read first time: February 5, 1999
Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 23, 1999

CHAPTER _____

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; authorizing the Department to provide by regulation for the issuance of
5 a certain sport fishing license to be affixed to a boat registered in any state;
6 increasing the commission of a certain designated Chesapeake Bay sport fishing
7 license agent; increasing the cost of a certain special license; providing for the
8 use of certain funds; repealing striped bass stamp and tag provisions; and
9 generally relating to fish permits and fees.

10 BY repealing and reenacting, with amendments,
11 Article - Natural Resources
12 Section 4-745(a), (b), and (d)(2)
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 1998 Supplement)

15 BY repealing
16 Article - Natural Resources
17 Section 4-745.2
18 Annotated Code of Maryland
19 (1997 Replacement Volume and 1998 Supplement)

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

Article - Natural Resources

1 4-745.

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

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

7 (i) Resident..... [\$7] \$9

8 (ii) Short term license valid for 5 consecutive days from date of
9 issue..... [\$4] \$6

10 (iii) Nonresident..... [\$12] \$14

11 (iv) Resident and nonresident blind persons..... No fee

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

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

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

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

24 (4) ALL (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
25 PARAGRAPH, ALL fees collected on behalf of the Department pursuant to this section
26 shall be remitted to the Department in accordance with its rules and regulations for
27 deposit with the State Treasurer to the credit of the Fisheries Research and
28 Development Fund to be used for the replenishment, protection, and conservation of
29 fish stocks caught by recreational fishermen, for enhancement of recreational fishing
30 opportunities, and for research concerning tidal fishery resources. The Department
31 shall publicly report annually the amounts collected and the expenditures.

32 (II) IN FISCAL YEAR 1999 AND IN EACH SUBSEQUENT FISCAL YEAR,
33 THE DEPARTMENT, FOR THE PURPOSES SET FORTH IN SUBPARAGRAPH (III) OF THIS
34 PARAGRAPH, SHALL USE:
35

1 1. \$2 FROM THE SALE OF EACH LICENSE UNDER
 2 SUBSECTION (A) OF THIS SECTION;

3 2. \$20 FROM THE SALE OF EACH LICENSE UNDER
 4 SUBSECTION (D)(2) OF THIS SECTION; AND

5 3. \$225 OF THE SPECIAL CHARTER BOAT LICENSE UNDER
 6 SUBSECTION (D)(1) OF THIS SECTION.

7 (III) THE DEPARTMENT SHALL USE THE MONEYS SPECIFIED IN
 8 SUBPARAGRAPH (II) OF THIS PARAGRAPH FOR:

9 1. ACHIEVING THE MAXIMUM FEDERAL FUND
 10 APPORTIONMENTS;

11 2. MANAGEMENT ASSESSMENT AND SPORTFISHING
 12 SURVEYS; AND

13 3. ANGLER OUTREACH AND PUBLIC FISHING INFORMATION.

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

18 (d) (2) (i) The Department may provide by regulation for issuance of an
 19 annual special Chesapeake Bay sport fishing license, which when permanently
 20 affixed to a boat registered in ~~Maryland~~ ANY STATE, shall authorize any person on
 21 the boat to fish for finfish in the Chesapeake Bay or in its tributaries up to tidal
 22 boundaries, except that such a license may not be used on a boat which has been hired
 23 to take such persons fishing.

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

25 (iii) If a boat owner purchases the special license under this
 26 paragraph, the boat owner may fish anywhere in the Chesapeake Bay, whether the
 27 boat owner is fishing in the owner's boat, in another person's boat, on land, or
 28 elsewhere. The Department shall issue a complimentary Chesapeake Bay sport
 29 fishing license to the boat owner who purchases a special license under this
 30 paragraph. If a boat to which the special license is affixed has more than one owner,
 31 then only the individual applicant who signs the application for the special license
 32 shall be entitled to a complimentary Chesapeake Bay sport fishing license under this
 33 paragraph.

34 [4-745.2.

35 (a) (1) The Department shall provide by regulation for the issuance of a
 36 striped bass stamp and, except as provided in paragraph (2) of this subsection, may
 37 issue nonreusable tags for a person to possess striped bass during a striped bass

1 season, in addition to a Chesapeake Bay sport fishing license or consolidated senior
2 sport fishing license.

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

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

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

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

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

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

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

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

