
By: **Delegates Guns and Weir**

Introduced and read first time: February 11, 2000

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Fresh Water Fishing Guides**

3 FOR the purpose of delineating certain areas where a person may provide certain
4 fishing guide services for compensation to a person fishing for game and
5 freshwater fish; prohibiting a recreational angler under the guidance of certain
6 freshwater fishing guides from possessing striped bass; prohibiting a
7 recreational angler under the guidance of certain freshwater fishing guides
8 from catching or attempting to catch striped bass in certain areas and during a
9 certain period; requiring an applicant for a freshwater fishing license that will
10 be used in tidal waters to demonstrate that they have obtained certain federal
11 licenses; requiring the Department of Natural Resources to provide a certain
12 report by a certain date and in a certain manner; providing for the contents of
13 the report; prohibiting a person from furnishing any service as a fishing guide
14 that requires operating a boat or vessel without complying with certain federal
15 regulations; and generally relating to a freshwater fishing guide license.

16 BY repealing and reenacting, with amendments,
17 Article - Natural Resources
18 Section 4-210.1
19 Annotated Code of Maryland
20 (1997 Replacement Volume and 1999 Supplement)

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

23 **Article - Natural Resources**

24 4-210.1.

25 (a) A person providing fishing guide services for compensation to a person
26 fishing in nontidal freshwater for game and freshwater fish shall obtain a freshwater
27 fishing guide license.

28 (b) An applicant for a license shall:

1 (1) Submit to the Department an application on the form that the
2 Department requires;

3 (2) Pay to the Department an application fee of \$20 for residents or \$50
4 for nonresidents; and

5 (3) Possess any necessary fishing licenses and stamps.

6 (c) Before a freshwater fishing guide license expires, the licensee may renew
7 the license for an additional 1 year term. The licensee may renew a freshwater fishing
8 guide permit if the licensee:

9 (1) Otherwise is entitled to hold the license;

10 (2) Submits to the Department a renewal application on the form that
11 the Department requires; and

12 (3) Pays to the Department a renewal fee of \$20 for residents or \$50 for
13 nonresidents.

14 (d) Beginning January 1, 2000 the Department may issue a freshwater
15 fishing guide license which shall be valid for not more than 1 year and shall expire on
16 December 31 of each year following the date of issuance.

17 (e) The freshwater fishing guide license is not valid in tidal waters EXCEPT
18 FOR THE FOLLOWING DESIGNATED AREAS:

19 (1) IN THE UPPER CHESAPEAKE BAY UPSTREAM OF A LINE FROM SANDY
20 POINT TO TURKEY POINT;

21 (2) IN THE ELK RIVER UPSTREAM OF A LINE FROM TURKEY POINT TO
22 THE STATE LAUNCHING RAMP AT PEARCE CREEK;

23 (3) IN THE POND CREEK UPSTREAM OF A LINE CONNECTING THE TWO
24 UNNAMED POINTS AT THE ENTRANCE TO THE CREEK;

25 (4) IN THE SASSAFRAS RIVER UPSTREAM OF A LINE FROM GROVE POINT
26 TO HOWELL POINT;

27 (5) IN THE STILL POND CREEK UPSTREAM OF A LINE FROM MEEKS
28 POINT TO ROCKY POINT;

29 (6) IN THE WORTON CREEK UPSTREAM OF A LINE FROM THE POINT AT
30 COPELAND TO HANDYS POINT;

31 (7) IN THE FAIRLEE CREEK UPSTREAM OF A LINE ACROSS THE
32 ENTRANCE OF THE CREEK;

33 (8) (I) IN THE CHESTER RIVER UPSTREAM OF A LINE FROM SPANIARD
34 POINT TO NICHOLS POINT;

1 (II) IN THE CORSICA RIVER, A TRIBUTARY OF THE CHESTER RIVER,
2 UPSTREAM OF A LINE FROM SPANIARD POINT TO HOLTON POINT;

3 (III) IN THE LANGFORD CREEK, A TRIBUTARY OF THE CHESTER
4 RIVER, UPSTREAM OF A LINE FROM NICHOLS POINT TO GRAYS INN POINT;

5 (IV) IN THE GRAYS INN CREEK, A TRIBUTARY OF THE CHESTER
6 RIVER UPSTREAM FROM GRAYS INN POINT TO LITTLE GUM POINT;

7 (9) IN THE CHOPTANK RIVER UPSTREAM OF THE DOVER BRIDGE ON
8 ROUTE 331;

9 (10) IN THE BLACKWATER RIVER UPSTREAM OF A LINE FROM THE
10 LOWER POINT OF SNAKE ISLAND TO THE SOUTHERNMOST POINT ON THE OPPOSITE
11 SHORE;

12 (11) IN THE TRANSQUAKING RIVER UPSTREAM OF A LINE FROM
13 ALABASTER POINT RUNNING MAGNETIC NORTH TO THE OPPOSITE SHORE;

14 (12) IN THE NANTICOKE RIVER UPSTREAM OF A LINE FROM LONG POINT
15 TO RUNAWAY POINT;

16 (13) IN THE WICOMICO RIVER UPSTREAM OF THE WHITEHAVEN FERRY
17 CROSSING;

18 (14) IN THE POCOMOKE RIVER UPSTREAM OF THE LANDING AT
19 REHOBETH;

20 (15) (I) IN THE MARYLAND TRIBUTARIES OF THE POTOMAC RIVER
21 ABOVE THE ROUTE 301 BRIDGE; AND

22 (II) IN THE WICOMICO RIVER, A TRIBUTARY OF THE POTOMAC
23 RIVER, UPSTREAM OF A LINE FROM MILLS POINT IN A WESTERLY DIRECTION TO THE
24 NORTHERNMOST POINT AT THE ENTRANCE TO DOLLY BOARMANS CREEK;

25 (16) (I) IN THE PATUXENT RIVER UPSTREAM OF THE OVERHEAD
26 POWER LINES NORTH OF GODS GRACE POINT;

27 (II) IN THE SWANSON CREEK, A TRIBUTARY OF THE PATUXENT
28 RIVER, UPSTREAM OF A LINE FROM TEAGUE POINT TO CHALK POINT;

29 (17) IN THE PATAPSCO RIVER UPSTREAM OF THE HANOVER STREET
30 CROSSING PARALLEL TO THE POTEET STREET CROSSING;

31 (18) IN THE BACK RIVER UPSTREAM OF A LINE FROM CUCKHOLD POINT
32 TO ROCKY POINT;

33 (19) IN THE MIDDLE RIVER UPSTREAM OF A LINE FROM BOOBY POINT TO
34 BOWLEY BAR POINT;

1 (20) IN THE SENECA CREEK UPSTREAM OF A LINE FROM BOWLEY BAR
2 POINT TO LOWEN POINT;

3 (21) IN THE GUNPOWDER RIVER UPSTREAM OF A LINE FROM WEIR POINT
4 TO RICKETT POINT; AND

5 (22) IN THE BUSH RIVER UPSTREAM OF A LINE FROM ABBEY POINT TO
6 SANDY POINT.

7 (F) (1) A RECREATIONAL ANGLER UNDER THE GUIDANCE OF A
8 FRESHWATER FISHING GUIDE IN TIDAL WATERS MAY NOT:

9 (I) POSSESS THE SPECIES OF FISH KNOWN AS STRIPED BASS OR
10 ROCKFISH; OR

11 (II) FROM MARCH 1 THROUGH MAY 31, CATCH OR ATTEMPT TO
12 CATCH STRIPED BASS IN SPAWNING AREAS AND RIVERS.

13 (2) FOR THE PURPOSES OF ITEM (1)(II) OF THIS SUBSECTION, SPAWNING
14 AREAS AND RIVERS INCLUDE EVERYTHING NORTH OF A LINE FROM ABBEY POINT TO
15 WORTON POINT, INCLUDING THE SASSAFRAS RIVER, BOHEMIA RIVER, ELK RIVER,
16 NORTHEAST RIVER, SUSQUEHANNA RIVER, SUSQUEHANNA FLATS, AND THE
17 CHESAPEAKE AND DELAWARE CANAL.

18 (G) (1) AN APPLICANT FOR A FRESHWATER FISHING LICENSE THAT WILL BE
19 USED IN TIDAL WATERS MUST DEMONSTRATE TO THE DEPARTMENT THAT THEY
20 HAVE OBTAINED THE APPROPRIATE FEDERAL LICENSES.

21 (2) IN ADDITION TO ANY LICENSE REQUIRED BY THIS SECTION, A
22 PERSON MAY NOT FURNISH ANY SERVICE AS A FISHING GUIDE THAT REQUIRES
23 OPERATING A BOAT OR VESSEL AS PART OF THAT SERVICE WITHOUT COMPLYING
24 WITH APPROPRIATE FEDERAL REGULATIONS GOVERNING THE OPERATION OF A
25 VESSEL CARRYING PASSENGERS FOR HIRE.

26 (H) The Department shall adopt regulations necessary to implement this
27 section.

28 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December
29 1, 2003, the Department shall report to the Governor, the Senate Economic and
30 Environmental Affairs Committee, and the House Environmental Matters
31 Committee, subject to § 2-1246 of the State Government Article, on:

32 (1) the tidal and nontidal waters that are being fished by freshwater
33 fishing guides; and

34 (2) the types and numbers of fish that are being caught by recreational
35 anglers guided by freshwater fishing guides.

36 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
37 June 1, 2000.

