

BY: Senator Baker

AMENDMENTS TO HOUSE BILL NO. 94

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Authorizations -” insert “Consolidated Senior Veterans’ Sport Fishing License and”; in line 3, after “Revocation” insert “of Tidal Fishing Licenses”; in line 4, after the first “of” insert “creating the consolidated senior veterans' sport fishing license; establishing the qualifications for and privileges under the license; establishing that there is no fee for the license; providing for the term and expiration of the license; creating certain exceptions to certain requirements that a person hold certain fishing licenses to engage in certain fishing activities;”; in line 9, after “penalties;” insert “providing for the effective date of a portion of this Act;”; in line 11, after “to” insert “the consolidated senior veterans’ sport fishing license and to”; and after line 12, insert:

“BY adding to

Article - Natural Resources

Section 4-217

Annotated Code of Maryland

(2000 Replacement Volume and 2001 Supplement)

BY repealing and reenacting, without amendments,

Article - Natural Resources

Section 4-604(c) and 4-745(a)(1)

Annotated Code of Maryland

(2000 Replacement Volume and 2001 Supplement)

BY repealing and reenacting, with amendments,

Article - Natural Resources

Section 4-604(d), 4-614(a)(1), and 4-745(c)

Annotated Code of Maryland

(Over)

(2000 Replacement Volume and 2001 Supplement)”.
AMENDMENT NO. 2

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On page 2, after line 2, insert:

“Article - Natural Resources

4-217.

(A) (1) THERE IS A CONSOLIDATED SENIOR VETERANS' SPORT FISHING LICENSE.

(2) THE DEPARTMENT MAY ISSUE A CONSOLIDATED SENIOR VETERANS' SPORT FISHING LICENSE TO A RESIDENT OR NONRESIDENT VETERAN, AS DEFINED UNDER § 9-901 OF THE STATE GOVERNMENT ARTICLE, BEGINNING IN THE CALENDAR YEAR IN WHICH THE VETERAN ATTAINS THE AGE OF 70 YEARS.

(3) THERE IS NO FEE FOR THE CONSOLIDATED SENIOR VETERANS' SPORT FISHING LICENSE.

(B) A HOLDER OF A CONSOLIDATED SENIOR VETERANS' SPORT FISHING LICENSE MAY:

(1) ENGAGE IN ANGLING ON THE NONTIDAL WATERS OF THE STATE WITHOUT HOLDING AN ANGLER'S LICENSE UNDER § 4-604 OF THIS TITLE;

(2) ENGAGE IN ANGLING FOR TROUT ON THE NONTIDAL WATERS OF THE STATE WITHOUT HOLDING A TROUT STAMP UNDER § 4-614 OF THIS TITLE; AND

(3) FISH FOR FINFISH IN THE CHESAPEAKE BAY AND ITS TRIBUTARIES WITHOUT HOLDING A CHESAPEAKE BAY SPORT FISHING LICENSE UNDER § 4-745 OF THIS TITLE.

(C) A CONSOLIDATED SENIOR VETERANS' SPORT FISHING LICENSE:

(1) IS VALID FOR A PERIOD NOT EXCEEDING 1 YEAR; AND

(2) EXPIRES ON DECEMBER 31 OF THE YEAR OF ISSUANCE.

4-604.

(c) Any person 16 years old or older shall secure an angler's license to fish in the nontidal waters of the State. An angler's license entitles the holder to fish in the nontidal waters of the State only during the open season.

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

(1) The owner or tenant of land bordering on nontidal water, his spouse and children, or the spouse of any child who resides on the land with the owner or tenant when he fishes in nontidal water adjoining his land;

(2) Any convalescent patient of a veterans' hospital hospitalized for a service connected disability who fishes in nontidal waters if the patient secures a permit issued by a special service officer of the American Red Cross under authority granted by the Department;

(3) Any group of disabled or convalescent patients organized and under the care and supervision of the American Red Cross, which upon the request of the American Red Cross, is authorized by the Department to fish for any recreational purpose in the nontidal waters;

(4) Any resident serving in the armed forces of the United States, while on leave in the State, during his leave period, if, while angling, he possesses a copy of his official leave orders;

(5) Any patient who is under treatment by a State-approved mental health facility, and any individual who attends or resides in a State-approved retardation facility;

(6) A caregiver, family member, or designee of a mental health care facility or private group home of a patient who is under treatment by a State-approved mental health facility, provided that:

(i) The administrator of the mental health care facility, or treating physician or psychologist provides the Department with a letter stating that the caregiver or family

(Over)

member is the primary caretaker of the patient; or

(ii) The individual accompanying the patient carries a copy of the letter described under subparagraph (i) of this paragraph, or a professional license or certificate of a health care professional involved in the care of the patient;

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

(8) A person holding a current resident consolidated senior sport fishing license issued under § 4-216 of this title; OR

(9) A PERSON HOLDING A CURRENT CONSOLIDATED SENIOR VETERANS' SPORT FISHING LICENSE ISSUED UNDER § 4-217 OF THIS TITLE.

4-614.

(a) (1) Except for a holder of a current resident consolidated senior sport fishing license issued under § 4-216 of this title OR A CURRENT CONSOLIDATED SENIOR VETERANS' SPORT FISHING LICENSE ISSUED UNDER § 4-217 OF THIS TITLE, a person 16 years old or older may not fish in any special catch-and-return trout management area and may not possess trout while fishing in nontidal waters unless the person first obtains a trout stamp in addition to an angler's license. The stamp shall be obtained from any authorized agent of the Department at a cost of \$5. The Department may designate a person engaged in a retail business to sell the trout stamp as an agent under the Department's control and supervision. The trout stamps may be furnished to agents upon consignment if the Department is given adequate security to insure ultimate payment to the Department for the stamps.

4-745.

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

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

(1) Is under the age of 16;

(2) Possesses a valid commercial license;

(3) Is fishing from private real property as an owner, family member of an owner, or nonpaying guest of an owner;

(4) Is fishing with a hook and line from a public bridge or public pier which has been designated by the Department as a free fishing area;

(5) Holds a valid tidal water sport fishing license issued by the State of Virginia, Potomac River Fisheries Commission, or District of Columbia, provided that this exemption shall not take effect until the Secretary has published notice in the Maryland Register of the Secretary's determination that the Virginia, Potomac River Fisheries Commission, or District of Columbia requirements for a tidal water sport fishing license are substantially similar to and reciprocal with the Chesapeake Bay sport fishing license requirements of this section;

(6) Is fishing pursuant to any special license issued under subsection (d) of this section;

(7) (i) Is on active duty with the armed forces of the United States;

(ii) Is a resident of this State;

(iii) Is on leave from the armed forces; and

(iv) Has, while fishing, a copy of the person's official leave orders;

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

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

(10) HOLDS A CURRENT CONSOLIDATED SENIOR VETERANS' SPORT FISHING LICENSE ISSUED UNDER § 4-217 OF THIS TITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

AMENDMENT NO. 3

On page 11, in line 14, strike “2.” and substitute “3.”; in the same line, after “That” insert “Section 2 of”; and after line 15, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect June 1, 2002.”.