
By: **Delegate Wood**

Introduced and read first time: February 7, 2003

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2003

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources - Maryland Provisional Chesapeake Bay Charter Boat**
3 **Permit**

4 FOR the purpose of requiring the Department of Natural Resources to establish a
5 Maryland Provisional Chesapeake Bay Charter Boat Permit; authorizing the
6 Department to issue a charter boat permit under certain circumstances;
7 providing that the permit is valid under certain circumstances and
8 nontransferable; providing that a person in possession of a permit is not
9 required to possess a certain commercial fishing guide license; requiring a
10 person operating a charter boat to possess certain federal and state licenses and
11 permits; providing for the application of certain penalties; authorizing the
12 Department to adopt certain regulations; defining a certain term; and generally
13 relating to establishing a Maryland Provisional Chesapeake Bay Charter Boat
14 Permit.

15 BY repealing and reenacting, with amendments,
16 Article - Natural Resources
17 Section 4-210(a)
18 Annotated Code of Maryland
19 (2000 Replacement Volume and 2002 Supplement)

20 BY adding to
21 Article - Natural Resources
22 Section 4-210.2
23 Annotated Code of Maryland
24 (2000 Replacement Volume and 2002 Supplement)

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

3 **Article - Natural Resources**

4 4-210.

5 (a) Except for a person employed to operate a vessel for a master fishing guide
6 under § 4-701(o) OR A PERSON PERMITTED TO OPERATE A CHARTER BOAT UNDER §
7 4-210.2, any person who desires to accept direct or indirect consideration for providing
8 services as a fishing guide shall obtain a license.

9 4-210.2.

10 (A) IN THIS SECTION, "PERMIT" MEANS A MARYLAND PROVISIONAL
11 CHESAPEAKE BAY CHARTER BOAT PERMIT.

12 (B) THE DEPARTMENT SHALL ESTABLISH A MARYLAND PROVISIONAL
13 CHESAPEAKE BAY CHARTER BOAT PERMIT.

14 (C) THE DEPARTMENT MAY ISSUE A PERMIT IF THE PERSON:

15 (1) IS LICENSED BY VIRGINIA ~~OR THE POTOMAC RIVER FISHERIES~~
16 ~~COMMISSION~~ TO OPERATE A CHARTER BOAT IN ~~THEIR~~ ITS JURISDICTIONAL TIDAL
17 WATERS; AND

18 (2) PROVIDES THE DEPARTMENT WITH DOCUMENTATION OF FISHING
19 ACTIVITY FOR 2001 AND 2002 BASED UPON LICENSING AND REPORTING
20 REQUIREMENTS OF THE VIRGINIA MARINE RESOURCES COMMISSION ~~OR THE~~
21 ~~POTOMAC RIVER FISHERIES COMMISSION.~~

22 (D) A PERMIT ISSUED BY THE DEPARTMENT:

23 (1) IS VALID ONLY FOR AN AUTHORIZED PERSON OPERATING A VESSEL
24 FOR CHARTER FISHING TRIPS ORIGINATING FROM THE TIDAL WATERS OF VIRGINIA
25 ~~OR THE POTOMAC RIVER;~~ AND

26 (2) IS NONTRANSFERABLE.

27 (E) A PERSON IN POSSESSION OF A PERMIT IS NOT REQUIRED TO POSSESS A
28 MARYLAND COMMERCIAL FISHING GUIDE LICENSE UNDER § 4-210 OF THIS SUBTITLE
29 TO OPERATE A CHARTER BOAT IN TIDAL WATERS OF THE CHESAPEAKE BAY IN
30 MARYLAND.

31 (F) A PERSON OPERATING A CHARTER BOAT UNDER THE PROVISIONS OF THIS
32 SECTION ~~MUST~~ SHALL HAVE ALL APPROPRIATE FEDERAL AND STATE LICENSES AND
33 THE REQUIRED PERMIT IN POSSESSION WHENEVER OPERATING A CHARTER BOAT.

34 (G) THE HOLDER OF A PERMIT ISSUED UNDER THIS SECTION IS SUBJECT TO
35 THE PENALTIES UNDER SUBTITLE 12 OF THIS TITLE.

1 (H) THE DEPARTMENT MAY ADOPT REGULATIONS NECESSARY TO
2 IMPLEMENT THIS SECTION.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2003.