

Department of Legislative Services
 Maryland General Assembly
 2004 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 554

(Senator Stoltzfus)

Education, Health, and Environmental Affairs

Environmental Matters

Coastal Bays Fishing Guide Permit - Establishment

This bill establishes an annual coastal bays fishing guide permit issued by the Department of Natural Resources (DNR) to any person who provides fishing guide services for compensation to a person fishing for finfish in specified areas of tidal waters of the Atlantic Coastal Bays Watershed. The annual application fee is \$50 for residents and \$100 for nonresidents. Fees will be credited to the Fisheries Research and Development Fund. DNR must adopt regulations to implement the bill. Among other things, the regulations must limit the number of permits issued annually to 25 and allocate no more than 20% of those permits to nonresidents.

The bill takes effect June 1, 2004 and sunsets August 31, 2007.

Fiscal Summary

State Effect: Special fund revenue increase of up to \$1,500 annually from FY 2005 through 2007. DNR could implement the bill's requirements with existing budgeted resources.

(in dollars)	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
SF Revenue	\$1,500	\$1,500	\$1,500	\$0	\$0
Expenditure	\$0	\$0	\$0	\$0	\$0
Net Effect	\$1,500	\$1,500	\$1,500	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: The bill would not materially affect local operations or finances.

Small Business Effect: Potential meaningful. The bill would enable 25 individuals to operate a charter boat business in specified areas.

Analysis

Bill Summary: The regulations adopted by DNR also must: (1) prohibit a person from furnishing service as a coastal bays fishing guide if the service requires the operation of a vessel without compliance with appropriate federal regulations; and (2) establish a waiting list for applicants. DNR must begin issuing the permits September 1, 2004; permits expire August 31 of each year following the date of issuance. DNR must publicly report the revenues and expenditures under the bill on an annual basis. A recreational angler under the guidance of a permit holder may not possess striped bass.

Current Law: Except for a person employed to operate a vessel for a master fishing guide or a person permitted to operate a charter boat, any person who desires to accept direct or indirect consideration for providing services as a fishing guide must obtain a license from DNR. A person may not furnish any service as a fishing guide that requires operating a boat or vessel as part of that service without first obtaining appropriate federal licenses to operate a vessel carrying passengers for hire.

Background: Maryland's coastal bays, often called the back bays, are shallow water lagoons behind Ocean City and Assateague Island.

State Revenues: Assuming all 25 permits are sold each year, and five of those permits (the maximum authorized by the bill) are sold to nonresidents at \$100 each and the remaining 20 permits are sold to residents at \$50 each, fee revenues would generate \$1,500 annually.

Additional Information

Prior Introductions: Similar legislation was introduced during the 2003 session as SB 546. The bill was referred to the Senate Education, Health, and Environmental Affairs Committee but was subsequently withdrawn.

Cross File: None.

Information Source(s): Department of Natural Resources, Department of Legislative Services

Fiscal Note History: First Reader - February 25, 2004
mam/ljm Revised - Senate Third Reader - March 24, 2004

Analysis by: Lesley Cook

Direct Inquiries to:
(410) 946-5510
(301) 970-5510