

HOUSE BILL 1345

M1

0lr0010

By: **Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)**

Introduced and read first time: February 18, 2010

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2010

CHAPTER _____

1 AN ACT concerning

2 **Recreational Fishing Licenses – Licensing and Registration**

3 FOR the purpose of expanding the requirement to obtain certain fishing licenses or
4 authorizations to apply to certain fishing activity in the State waters of the
5 Atlantic Ocean and the Atlantic coastal bays and tributaries; altering the
6 application process for obtaining a freshwater angling license; altering the
7 duration of the short-term freshwater angling license and the short-term tidal
8 sport fishing license; repealing a provision of law governing the sale and
9 disposal of expired trout stamps; altering the ~~fee schedule for the~~ fees for a
10 nonresident trout stamp and the, a short-term nonresident sport fishing
11 license, and the annual nonresident sport fishing license; providing for the term
12 and expiration for certain tidal sport fishing licenses; providing for an
13 application process for the tidal sport fishing license; altering certain
14 exemptions from the requirement to obtain a tidal sport fishing license before
15 fishing in tidal waters of the State; requiring certain individuals who are
16 exempt from certain tidal fish licensing requirements to register with the
17 Department of Natural Resources before fishing in tidal waters of the State;
18 authorizing the Department to provide by regulation for the issuance of a
19 special tidal commercial fishing pier license that is valid for all individuals
20 fishing from the pier; establishing an annual fee for the commercial pier license;
21 requiring the owner or operator of a commercial pier to maintain and submit to
22 the Department certain information; ~~extending the sunset~~ repealing the
23 termination date for the increase in certain recreational fishing license annual
24 fees and the operation of the Task Force on Fishery Management; repealing the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Task Force on Fishery Management; making certain stylistic changes; defining
 2 certain terms; repealing a certain definition; and generally relating to
 3 recreational fishing licenses.

4 BY repealing and reenacting, with amendments,
 5 Article – Natural Resources
 6 Section 4–101, 4–210(g), 4–214, 4–216(d), 4–217(d), 4–604, 4–614, and 4–745
 7 Annotated Code of Maryland
 8 (2005 Replacement Volume and 2009 Supplement)

9 BY repealing and reenacting, with amendments,
 10 Chapter 217 of the Acts of the General Assembly of 2007
 11 Section 3

12 BY repealing
 13 Article – Natural Resources
 14 Section 4–215.4
 15 Annotated Code of Maryland
 16 (2005 Replacement Volume and 2009 Supplement)
 17 (As enacted by Chapter ___ (S.B.___/H.B.___) of the Acts of the General
 18 Assembly of 2010)

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

21 **Article – Natural Resources**

22 4–101.

23 (a) In this title the following words have the meanings indicated.

24 (b) “Apprenticeship permit” means a permit issued by the Department that
 25 authorizes the permittee to gain practical experience in the presence of a tidal fish
 26 licensee regarding commercial fishing activities.

27 (c) “Authorization” means an authorization under a tidal fish license issued
 28 by the Department which entitles a licensee to engage in a particular fishing activity.

29 (d) “Catch” includes to take, kill, trap, gather, harvest, or in any manner
 30 reduce any fish to personal possession.

31 (e) “Closed season” means the time during which any particular species of
 32 fish may not be caught legally and includes any period of time not included within the
 33 open season.

34 **(F) “COMMERCIAL FISHING PIER” MEANS A PIER OPEN TO THE PUBLIC**
 35 **THAT CHARGES A FEE TO FISH IN THE TIDAL WATERS OF THE STATE.**

1 [(f)] (G) “County” includes Baltimore City unless otherwise indicated.

2 [(g)] (H) “Crew member” means a person who assists a tidal fish licensee
3 during commercial fishing activities including operating a boat, handling fishing
4 related gear, or culling fish.

5 [(h)] (I) “Department” means Department of Natural Resources.

6 [(i)] (J) “Fish” means finfish, crustaceans, mollusks, and amphibians and
7 reptiles which spend the majority of their life cycle in water and any part, egg,
8 offspring, or dead body of any of these species.

9 [(j)] (K) “Game and freshwater fish” means fish found in nontidal water,
10 including but not limited to, a pond, lake, or canal, whether publicly or privately
11 owned.

12 [(k)] (L) “Nontidal water” means water above a point where the tide ebbs
13 and flows.

14 [(l)] (M) “Open season” means the time during which fish legally may be
15 caught and includes both the first and last day of the season or period designated in
16 this title.

17 [(m)] (N) “Person” includes the State, any county, municipal corporation, or
18 other political subdivision of the State, or any of their units, or an individual, receiver,
19 trustee, guardian, executor, administrator, fiduciary, or representative of any kind, or
20 any partnership, firm, association, public or private corporation, or any other entity.

21 (O) **“RESIDENT” MEANS AN INDIVIDUAL WHO:**

22 (1) **FOR MORE THAN 6 MONTHS OF THE TAXABLE YEAR**
23 **MAINTAINS A RESIDENCE IN THE STATE; OR**

24 (2) **MOVES TO THE STATE WITH THE INTENT TO BE DOMICILED IN**
25 **THE STATE.**

26 [(n)] (P) “Secretary” means Secretary of Natural Resources.

27 [(o)] (Q) “Tidal fish license” means a license issued by the Department
28 which authorizes the licensee to guide fishing parties, catch fish for commercial
29 purposes and buy, sell, process, transport, export or otherwise deal in fish which were
30 caught in the tidal waters of Maryland.

31 [(p)] (R) “Tidal water” means water below a point where the tide ebbs and
32 flows.

1 4-210.

2 (g) (1) The Department may issue a limited fishing guide license that is
3 applicable in all waters of the State to allow a license holder to guide:

4 (i) Anglers in up to 3 boats or vessels that:

5 1. Have 1 or 2 occupants; and

6 2. Are propelled by oars or paddles; or

7 (ii) 1. Except as provided in item 2 of this item, up to 10
8 anglers fishing from shore or on foot in the water; or

9 2. Any number of anglers who are participating in an
10 educational or recreational program sponsored by a State, local, or municipal
11 government and who are fishing from shore or on foot in the water.

12 (2) A person may not accept any consideration for services as a fishing
13 guide licensed under this subsection unless the person and all persons being guided
14 possess, as applicable, an angler's license issued under § 4-604 of this title or a
15 Chesapeake Bay AND COASTAL sport fishing license issued under § 4-745 of this title.

16 (3) A recreational angler under the guidance of a limited fishing guide
17 in tidal waters may not:

18 (i) Catch or possess the species of fish known as the striped
19 bass or rockfish in the tidal waters designated in § 4-210.1(f) of this subtitle; and

20 (ii) From March 1 through May 31, catch or attempt to catch the
21 species of fish known as the striped bass or rockfish in spawning areas and rivers,
22 including all waters north of a line from Abbey Point to Worton Point, including the
23 Sassafra River, Bohemia River, Elk River, Northeast River, Susquehanna River,
24 Susquehanna Flats, and the Chesapeake and Delaware Canal.

25 4-214.

26 By regulation, the Secretary may establish up to 3 free fishing days each
27 calendar year when a person may catch finfish in the tidal and nontidal waters of the
28 State for recreational purposes without an angler's license or Chesapeake Bay AND
29 COASTAL sport fishing license.

30 4-216.

31 (d) A holder of a resident consolidated senior sport fishing license may:

1 (1) Engage in angling on the nontidal waters of the State without
2 holding an angler's license under § 4-604 of this title;

3 (2) Engage in angling for trout on the nontidal waters of the State
4 without holding a trout stamp under § 4-614 of this title; and

5 (3) Fish for finfish in the Chesapeake Bay and its tributaries **OR IN**
6 **THE STATE WATERS OF THE ATLANTIC OCEAN AND THE ATLANTIC COASTAL**
7 **BAYS AND TRIBUTARIES** without holding a Chesapeake Bay **AND COASTAL** sport
8 fishing license under § 4-745 of this title.

9 4-217.

10 (d) An individual covered under the organization's license exemption may:

11 (1) Engage in angling on the nontidal waters of the State without
12 holding an angler's license under § 4-604 of this title;

13 (2) Engage in angling for trout on the nontidal waters of the State
14 without holding a trout stamp under § 4-614 of this title; and

15 (3) Fish for finfish in the Chesapeake Bay and its tributaries **OR IN**
16 **THE STATE WATERS OF THE ATLANTIC OCEAN AND THE ATLANTIC COASTAL**
17 **BAYS AND TRIBUTARIES** without holding a Chesapeake Bay **AND COASTAL** sport
18 fishing license under § 4-745 of this title.

19 4-604.

20 (a) This section provides a fund to pay the expense of protecting and
21 managing game and freshwater fish and preventing unauthorized persons from
22 fishing or attempting to fish for any game and freshwater fish without first procuring
23 an angler's license.

24 (b) [(1) In this section, "resident" means a person who resides in this State
25 on the date he applies for a license.

26 (2) "Resident" includes a member of the armed forces of the United
27 States who is on active duty and stationed officially in this State.

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

31 [(d)] (C) An angler's license is not required of the following:

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

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

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

9 (4) A person holding a current resident consolidated senior sport
10 fishing license issued under § 4–216 of this title; or

11 (5) A person authorized by a disability exemption issued under §
12 4–217 of this title.

13 [(e)] (D) A person may apply for an angler’s license to any person
14 designated by the Department. The application shall be on a form the Department
15 prepares and supplies. The applicant shall fill out, sign and submit the application to
16 the person designated to issue an angler’s license. A person may apply by mail.

17 [(f)] (1) The application shall contain the applicant’s name and place of
18 residence.

19 (2) A person may not use an assumed name or an address other than
20 the person’s legal place of residence or make any false statement to obtain an angler’s
21 license.

22 (3) Before an angler’s license may be issued, the applicant for the
23 license shall sign a statement that says:

24 “I understand that this license does not of itself permit me to fish on private
25 property, and if I do so without permission of the owner I may be subject to a fine.”]

26 (E) AN APPLICANT FOR A LICENSE ISSUED UNDER THIS SECTION SHALL
27 PROVIDE ALL THE INFORMATION REQUESTED BY THE DEPARTMENT ON FORMS
28 ISSUED BY THE DEPARTMENT.

29 [(g)] (F) (1) The following annual license fees shall apply:

30 (i) Resident..... \$20.50

31 (ii) Subject to paragraph (2)(ii) of this subsection, short-term
32 license valid for [5] 7 consecutive days from date of issuance \$7.50

33 (iii) Resident and nonresident blind personsNo fee

1 (iv) Complimentary licenseNo fee

2 (2) For a nonresident:

3 (i) The fee for an annual angler's license is the greater of:

4 1. \$30.50; or

5 2. A fee equal to the fee charged a Maryland resident by
6 the nonresident's home state for a similar license; and

7 (ii) The fee for a short-term license valid for **[5] 7** consecutive
8 days from the date of issuance is the greater of:

9 1. \$7.50; or

10 2. A fee equal to the fee charged a Maryland resident by
11 the nonresident's home state for a license that permits an equal number of days of
12 fishing or the next higher number of days as permitted by the Maryland license.

13 (iii) The fee for a short-term license valid for 3 consecutive days
14 from the date of issuance is the greater of:

15 1. \$5; or

16 2. A fee equal to the fee charged a Maryland resident by
17 the nonresident's home state for a license that permits an equal number of days of
18 fishing or the next higher number of days as permitted by the Maryland license.

19 (3) (i) All fees collected by the Department under this section may
20 only be used in accordance with § 4-208 of this title.

21 (ii) The Department shall publicly report annually the amounts
22 collected and the expenditures under this section.

23 **[(h)] (G)** A person designated to sell an angler's license shall issue the
24 license and collect the fee prescribed in subsection **[(g)] (F)** of this section. The
25 Department shall furnish the licenses to the designated persons. An angler's license
26 shall bear the Secretary's facsimile signature and the countersignature of the issuing
27 person. The person who issues the license shall enter the name and address of the
28 licensee. The collected money shall be transmitted to the Department as prescribed by
29 the Department. As compensation, the agent shall retain \$1 for each license issued.

30 **[(i)] (H)** (1) Every angler's license shall expire on December 31 of each
31 year following the date of issuance.

1 (2) The licensee shall sign his name in ink on the license at the time of
2 purchase.

3 (3) The license may not be transferred to another person, nor used or
4 presented by any person other than the person to whom it was issued.

5 4-614.

6 [(a) (1) Except for a holder of a current resident consolidated senior sport
7 fishing license issued under § 4-216 of this title and a person authorized by a
8 disability exemption issued under § 4-217 of this title, a person 16 years old or older
9 may not fish in any special catch-and-return trout management area and may not
10 possess trout while fishing in nontidal waters unless the person first obtains a trout
11 stamp in addition to an angler's license. The stamp shall be obtained from any
12 authorized agent of the Department at a cost of \$5. The Department may designate a
13 person engaged in a retail business to sell the trout stamp as an agent under the
14 Department's control and supervision. The trout stamps may be furnished to agents
15 upon consignment if the Department is given adequate security to insure ultimate
16 payment to the Department for the stamps.

17 (2) The Department may sell expired stamps below face value to the
18 general public for a period of 3 years, after which time the Department shall shred any
19 unsold stamps. All revenues derived from the sale of these stamps shall revert back to
20 the game management fund.]

21 **(A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
22 **SUBSECTION, A PERSON MAY NOT FISH IN A SPECIAL CATCH-AND-RETURN**
23 **TROUT MANAGEMENT AREA OR POSSESS TROUT WHILE FISHING IN NONTIDAL**
24 **WATERS UNLESS THE PERSON FIRST OBTAINS A TROUT STAMP IN ADDITION TO**
25 **AN ANGLER'S LICENSE.**

26 **(2) A TROUT STAMP IS NOT REQUIRED OF THE FOLLOWING:**

27 **(I) A HOLDER OF A CURRENT RESIDENT CONSOLIDATED**
28 **SENIOR SPORT FISHING LICENSE ISSUED UNDER § 4-216 OF THIS TITLE;**

29 **(II) A PERSON AUTHORIZED BY A DISABILITY EXEMPTION**
30 **ISSUED UNDER § 4-217 OF THIS TITLE;**

31 **(III) A RESIDENT SERVING IN THE ARMED FORCES OF THE**
32 **UNITED STATES WHILE ON LEAVE IF THE RESIDENT POSSESSES A COPY OF THE**
33 **RESIDENT'S OFFICIAL LEAVE ORDER WHILE FISHING; OR**

34 **(IV) A PERSON UNDER 16 YEARS OF AGE.**

1 **(3) THE STAMP MAY BE OBTAINED FROM THE DEPARTMENT OR**
2 **AN AUTHORIZED AGENT OF THE DEPARTMENT.**

3 (b) [Any resident serving in the armed forces of the United States, while on
4 leave in the State, may fish without a trout stamp during his period of leave if he
5 possesses a copy of his official leave order while fishing.

6 (c)] A person is not required to have a trout stamp to possess trout taken
7 from:

8 (1) Any privately owned lake or pond that is stocked with trout
9 artificially propagated by commercial hatcheries or purchased from persons licensed to
10 sell fish; or

11 (2) Any fee fishing lake or pond operated under § 4-11A-20 of this
12 title.

13 **(C) THE FOLLOWING ANNUAL TROUT STAMP FEES SHALL APPLY:**

14 **(1) RESIDENT \$5**

15 **(2) ~~FOR A NONRESIDENT, THE GREATER OF:~~**

16 **~~(I) \$5; OR~~**

17 **~~(II) A FEE EQUAL TO THE FEE CHARGED A MARYLAND~~**
18 **~~RESIDENT BY THE NONRESIDENT'S HOME STATE FOR A SIMILAR LICENSE.~~**

19 **NONRESIDENT \$10**

20 (d) The Department or any authorized agent of the Department may issue a
21 duplicate trout stamp for a fee not exceeding \$1 if a person indicates that the trout
22 stamp is lost and is on record for previously purchasing a trout stamp.

23 4-745.

24 (a) (1) Except as provided in subsections (c) and (d) of this section and §
25 4-217 of this title, a person may not fish for finfish in the Chesapeake Bay or in its
26 tributaries up to tidal boundaries **OR IN STATE WATERS OF THE ATLANTIC OCEAN**
27 **AND THE ATLANTIC COASTAL BAYS AND TRIBUTARIES** without first obtaining a
28 Chesapeake Bay **AND COASTAL** sport fishing license **OR REGISTRATION ISSUED**
29 **UNDER SUBSECTION (D)(3) OF THIS SECTION AND POSSESSING EVIDENCE OF**
30 **THE LICENSE OR REGISTRATION.**

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

1 (i) Resident..... \$15

2 (ii) Short-term RESIDENT license valid for [5] 7 consecutive
3 days from date of issue.....\$6

4 (iii) FOR A SHORT-TERM NONRESIDENT LICENSE VALID FOR
5 7 CONSECUTIVE DAYS FROM DATE OF ISSUE~~THE~~
6 ~~GREATER OF \$6 OR AN AMOUNT EQUAL TO THE FEE CHARGED A MARYLAND~~
7 ~~RESIDENT BY THE NONRESIDENT'S HOME STATE FOR A SIMILAR LICENSE~~ \$12

8 (IV) Nonresident[\$15]
9 ~~THE GREATER OF \$15 OR AN AMOUNT EQUAL TO THE FEE CHARGED A~~
10 ~~MARYLAND RESIDENT BY THE NONRESIDENT'S HOME STATE FOR A SIMILAR~~
11 ~~LICENSE~~ \$22.50

12 [(iv)] (V) Resident and nonresident blind persons.....No fee

13 [(v)] (VI) Complimentary license under subsection (e) of this
14 section No fee

15 (3) [Except for a license issued under subsection (d) of this section,
16 every] EVERY Chesapeake Bay AND COASTAL sport fishing license AND
17 REGISTRATION shall be valid for not more than 1 year and shall expire on December
18 31.

19 (4) AN APPLICANT FOR A LICENSE ISSUED UNDER THIS SECTION
20 SHALL PROVIDE ALL THE INFORMATION REQUESTED BY THE DEPARTMENT ON
21 FORMS ISSUED BY THE DEPARTMENT.

22 (b) (1) The Department may designate a person engaged in a commercial
23 enterprise to sell the Chesapeake Bay AND COASTAL sport fishing license OR ISSUE A
24 REGISTRATION UNDER SUBSECTION (D) OF THIS SECTION as an agent under the
25 Department's control and supervision.

26 (2) (I) As compensation, the agent shall retain \$1 for each license
27 issued.

28 (II) THERE IS NO AGENT COMPENSATION FOR EACH
29 REGISTRATION ISSUED.

30 (3) The Chesapeake Bay AND COASTAL sport fishing license shall be
31 furnished to an agent upon satisfactory payment or upon consignment and only if the
32 Department is given adequate security to insure ultimate payment by an agent to the
33 Department for the licenses.

1 (4) (i) Except as provided in subparagraph (ii) of this paragraph,
2 all fees collected on behalf of the Department pursuant to this section shall be
3 remitted to the Department in accordance with its rules and regulations for deposit
4 with the State Treasurer to the credit of the Fisheries Research and Development
5 Fund to be used for the replenishment, protection, and conservation of fish stocks
6 caught by recreational fishermen, for enhancement of recreational fishing
7 opportunities, and for research concerning tidal fishery resources. The Department
8 shall publicly report annually the amounts collected and the expenditures.

9 (ii) In fiscal year 1999 and in each subsequent fiscal year, the
10 Department, for the purposes set forth in subparagraph (iii) of this paragraph, shall
11 use:

12 1. \$2 from the sale of each license under subsection (a) of
13 this section;

14 2. \$20 from the sale of each license under subsection
15 (d)(2) of this section; and

16 3. \$225 of the special charter boat license under
17 subsection (d)(1) of this section.

18 (iii) The Department shall use the moneys specified in
19 subparagraph (ii) of this paragraph for:

20 1. Achieving the maximum federal fund apportionments;

21 2. Management assessment and sportfishing surveys;
22 and

23 3. Angler outreach and public fishing information.

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

28 (c) A person may fish for finfish in the Chesapeake Bay or its tidal
29 tributaries **OR IN STATE WATERS OF THE ATLANTIC OCEAN AND COASTAL BAYS**
30 **AND TRIBUTARIES** without a Chesapeake Bay **AND COASTAL** sport fishing license if
31 the person:

32 (1) Is under the age of 16;

33 (2) Possesses a valid commercial license;

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

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

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

12 [(6)] (4) Is fishing pursuant to any special CHARTER BOAT license
13 issued under subsection [(d)] (D)(1) of this section;

14 [(7)] (5) (i) Is on active duty with the armed forces of the United
15 States;

16 (ii) Is a resident of this State;

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

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

20 [(8)] (6) Fishes on a free fishing day designated by the Secretary;
21 [or]

22 [(9)] (7) Holds a current resident consolidated senior sport fishing
23 license issued under § 4–216 of this title;

24 (8) HOLDS A CURRENT REGISTRATION ISSUED UNDER
25 SUBSECTION (D)(3) OF THIS SECTION; OR

26 (9) IS FISHING ON A COMMERCIAL FISHING PIER LICENSED
27 UNDER SUBSECTION (D)(4) OF THIS SECTION.

28 (d) (1) The Department may provide by regulation for issuance of a
29 special charter boat license that would be valid for all individuals on a charter boat
30 operated by a licensed fishing guide IN TIDAL WATERS OF THE STATE. The fee shall
31 be:

32 (i) For 6 fishermen or less..... \$240.

1 (ii) For 7 or more fishermen \$290.

2 (2) (i) The Department may provide by regulation for issuance of
3 an annual special Chesapeake Bay AND COASTAL sport fishing license, which when
4 permanently affixed to a boat registered in any state shall authorize any person on the
5 boat to fish for finfish in the Chesapeake Bay or in its tributaries up to tidal
6 boundaries OR IN STATE WATERS OF THE ATLANTIC OCEAN AND THE ATLANTIC
7 COASTAL BAYS AND TRIBUTARIES, except that such a license may not be used on a
8 boat that has been hired to take such persons fishing.

9 (ii) The annual fee for this special license shall be \$50.

10 (iii) If a boat owner purchases the special license under this
11 paragraph, the boat owner may fish anywhere in the Chesapeake Bay OR THE STATE
12 WATERS OF THE ATLANTIC OCEAN AND THE ATLANTIC COASTAL BAYS AND
13 TRIBUTARIES, whether the boat owner is fishing in the owner’s boat, in another
14 person’s boat, on land, or elsewhere. The Department shall issue a complimentary
15 Chesapeake Bay AND COASTAL sport fishing license to the boat owner who purchases
16 a special license under this paragraph. If a boat to which the special license is affixed
17 has more than one owner, then only the individual applicant who signs the application
18 for the special license shall be entitled to a complimentary Chesapeake Bay AND
19 COASTAL sport fishing license under this paragraph.

20 (3) (I) AN INDIVIDUAL SHALL REGISTER WITH THE
21 DEPARTMENT BEFORE FISHING IN ANY OF THE FOLLOWING AREAS THAT DO
22 NOT REQUIRE A CHESAPEAKE BAY AND COASTAL SPORT FISHING LICENSE:

23 1. A FREE FISHING AREA WITH HOOK AND LINE;

24 2. ON PRIVATE REAL PROPERTY BORDERING ON
25 TIDAL WATER AS AN OWNER OR TENANT OF THE PROPERTY, OR A SPOUSE OR AN
26 IMMEDIATE FAMILY MEMBER WHO RESIDES ON THE PROPERTY WITH THE
27 OWNER OR TENANT; AND

28 3. ON A BOAT LICENSED UNDER PARAGRAPH (2) OF
29 THIS SUBSECTION.

30 (II) THERE IS NO FEE FOR REGISTRATION UNDER THIS
31 PARAGRAPH.

32 (III) AN INDIVIDUAL REQUIRED TO REGISTER UNDER THIS
33 PARAGRAPH SHALL PROVIDE ALL THE INFORMATION REQUESTED BY THE
34 DEPARTMENT ON FORMS ISSUED BY THE DEPARTMENT.

1 (4) (i) 1. THE DEPARTMENT MAY PROVIDE BY
2 REGULATION FOR THE ISSUANCE OF A SPECIAL COMMERCIAL FISHING PIER
3 LICENSE THAT IS VALID FOR ALL INDIVIDUALS FISHING FROM THE PIER IN
4 TIDAL WATERS OF THE STATE.

5 2. THE ANNUAL FEE FOR THE SPECIAL COMMERCIAL
6 FISHING PIER LICENSE SHALL BE \$290.

7 (ii) INDIVIDUALS FISHING FROM A LICENSED COMMERCIAL
8 FISHING PIER ARE EXEMPT FROM PURCHASING A CHESAPEAKE BAY AND
9 COASTAL SPORT FISHING LICENSE.

10 (iii) 1. THE OWNER OR OPERATOR OF A LICENSED
11 COMMERCIAL FISHING PIER SHALL MAINTAIN A LOG OF THE CONTACT
12 INFORMATION OF THE PERSONS FISHING FROM THAT STRUCTURE EACH DAY.

13 2. THE LOGS REQUIRED UNDER SUBSUBPARAGRAPH
14 1 OF THIS SUBPARAGRAPH MUST BE SUBMITTED ELECTRONICALLY AS
15 PRESCRIBED OR APPROVED BY THE DEPARTMENT.

16 (e) (1) In this subsection, "former prisoner of war" means a person who,
17 while serving in the active military, naval, or air service of the United States, was
18 forcibly detained or interned in the line of duty by an enemy government or its agents,
19 or a hostile force, during a period of armed conflict.

20 (2) The Department may issue a lifetime complimentary Chesapeake
21 Bay AND COASTAL sport fishing license to any Maryland resident who certifies that
22 the resident is a former prisoner of war or a 100% service connected disabled
23 American veteran.

24 (3) A complimentary license is not transferable and shall be issued on
25 forms the Department designates.

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

28 **Chapter 217 of the Acts of 2007**

29 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 July 1, 2007. ~~It shall remain effective for a period of 3 years and 6 MONTHS AND, at~~
31 ~~the end of [June 30] DECEMBER 31, 2010, with no further action required by the~~
32 ~~General Assembly, this Act shall be abrogated and of no further force and effect.~~

33 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
34 read as follows:

Article – Natural Resources

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

[4–215.4.

(a) There is a Task Force on Fishery Management.

(b) (1) The Task Force consists of the following members:

(i) The Secretary of Natural Resources, or the Secretary's designee;

(ii) The following members, appointed by the Governor:

1. One representative from the Chesapeake Guides Association;

2. Two representatives from the Coastal Conservation Association Maryland;

3. One representative from the Maryland Bass Federation Nation;

4. One representative from the Mid-Atlantic Council of Trout Unlimited;

5. Two representatives from the Maryland Saltwater Sportfishermen's Association;

6. Two representatives from the Maryland Charter Boat Association;

7. Two representatives from the Maryland Watermen's Association; and

8. Two representatives from communities that are located on the Chesapeake Bay and its tributaries and that rely on fishing for their local economies; and

(iii) A peer review panel that consists of three experts in state fishery management appointed by the Governor in consultation with the American Fisheries Society.

(2) The peer review panel under paragraph (1)(iii) of this subsection shall support and provide expertise for the Task Force and the Department with the development of the report required under this section.

(c) The Governor shall designate the chair of the Task Force.

1 (d) The Task Force may establish subcommittees as it determines necessary
2 to fulfill its duties.

3 (e) The Department of Natural Resources shall provide staff for the Task
4 Force.

5 (f) A member of the Task Force may not receive compensation for serving on
6 the Task Force, but is entitled to reimbursement for expenses under the Standard
7 State Travel Regulations, as provided in the State budget.

8 (g) The Task Force shall:

9 (1) Oversee a full review of current fishery management processes and
10 develop recommendations for methods to improve, modernize, and streamline fishery
11 management, including:

12 (i) Developing a set of recommendations for the 2009 legislative
13 session of the General Assembly that incorporates the improvements suggested for
14 fishery management; and

15 (ii) Working with the Department to develop regulations and
16 policy, and any follow-up legislation for the 2010 legislative session of the General
17 Assembly that is necessary to implement the recommendations; and

18 (2) On or before December 1, 2008, submit a report of its findings and
19 recommendations to the Governor and, in accordance with § 2-1246 of the State
20 Government Article, the General Assembly.]

21 SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall
22 take effect January 1, 2011.

23 SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in
24 Section 4 of this Act, this Act shall take effect July 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.