

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 188

(Senator Kittleman, *et al.*)

Education, Health, and Environmental Affairs

Environmental Matters

Recreational Fishing Licenses - Exemption

This bill authorizes the Department of Natural Resources (DNR) to issue an annual fishing license exemption to a governmental entity or nonprofit organization to take individuals with disabilities, who are serving or have served in the armed forces, fishing in State waters, subject to certain requirements. The exemption also applies to the primary caregiver of the disabled individual and the representative of the entity or organization that is granted the exemption. An application for an exemption must be made on a form provided by DNR. An entity or organization that is granted an exemption must submit a report to DNR, by January 1 of the year following the exemption period, providing specified information.

The bill takes effect June 1, 2011.

Fiscal Summary

State Effect: This bill is not expected to materially affect State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Generally, a person must have (1) an angler's license to fish in nontidal waters of the State; (2) a trout stamp to fish in catch-and-release trout management area or to possess trout while fishing in nontidal waters; and (3) a Chesapeake Bay and coastal sport fishing license or registration to fish for finfish in the Chesapeake Bay and its

tributaries up to tidal boundaries or in State waters of the Atlantic Ocean and the Atlantic coastal bays and tributaries. An annual angler's license costs \$20.50 for residents and \$30.50, or the fee charged by the nonresident's state for a similar license, for nonresidents; trout stamps cost \$5 for residents and \$10 for nonresidents; and annual Chesapeake Bay and coastal sport fishing licenses cost \$15 for residents and \$22.50 for nonresidents.

In addition to persons younger than age 16, the following individuals are not required to obtain an angler's license:

- 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;
- any resident serving in the U.S. armed forces, while on leave in the State, during his leave period, if, while angling, he possesses a copy of his official leave orders;
- a person who fishes in nontidal waters of the State on free fishing days designated by the Secretary of Natural Resources;
- a person holding a current resident consolidated senior sport fishing license; or
- a person authorized by a specified disability exemption.

In addition to persons younger than age 16, the following individuals are not required to obtain a trout stamp:

- a holder of a current resident consolidated senior sport fishing license;
- a holder of a lifetime complimentary angler's license for service disabled veterans or former prisoners of war;
- a person authorized by a specified disability exemption; or
- a resident serving in the U.S. armed forces while on leave if the resident possesses a copy of the resident's official leave order while fishing.

In addition to persons younger than age 16, the following individuals are not required to obtain a Chesapeake Bay and coastal sport fishing license:

- a holder of a valid commercial license or a specified charter boat license;

- a holder of a valid tidal water sport fishing license issued by the state of Virginia, Potomac River Fisheries Commission, or District of Columbia, under specified circumstances;
- a resident serving in the U.S. armed forces while on leave if the resident possesses a copy of the resident's official leave order while fishing;
- a person fishing on a free fishing day designated by the Secretary of Natural Resources;
- a person who holds a current resident consolidated senior sport fishing license;
- a person who holds a specified DNR fishing registration; or
- a person fishing on a specified commercial fishing pier.

DNR may issue a lifetime complimentary Chesapeake Bay and coastal sport fishing license to residents who certify that they are former prisoners of war or 100% service-connected disabled American veterans.

A one-day fishing license exemption may be given to a nonprofit organization for a fishing trip for individuals with physical or mental disabilities and their primary caregiver or representative. Also, an angler's license is not required of specified patients of veterans hospitals and mental health facilities and the patient's caregiver, family member, or other designee.

Background: DNR offers numerous types of fishing licenses, and there are a variety of exemptions to fishing license requirements for specific individuals. For example, in 2010, fishing license exemptions were given to several military rehabilitation organizations for fishing trips on eight separate days. Project Healing Waters, which is dedicated to the physical and emotional rehabilitation of disabled active military service personnel and veterans, took between 12 and 17 anglers per day fishing over six days in 2010.

DNR also issues complimentary fishing licenses to a variety of individuals. For example, in 2010, DNR issued complimentary fishing licenses to 218 former prisoners of war and disabled veterans and to 20 blind individuals.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - February 3, 2011
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