

Chapter 260

(Senate Bill 361)

AN ACT concerning

Limited Fishing Guide License Natural Resources – Payment for Service Special Charter Boat License – Alteration

FOR the purpose of ~~authorizing a person to accept consideration for services as a certain fishing guide if the person is guiding certain boats or vessels that are propelled by oars or paddles and possesses a certain license; prohibiting a certain person guided under a certain license from being required to possess a certain license; and generally relating to limited fishing guide licenses~~ specifying that a certain special charter boat license issued by the Department of Natural Resources is valid for certain individuals on a single vessel operated by a certain licensed fishing guide and for certain individuals on a vessel under the guidance of a certain licensed fishing guide in tidal waters of the State; and generally relating to special charter boat licenses.

BY repealing and reenacting, with amendments,
 Article – Natural Resources
 Section ~~4-210~~ 4-745(d)(1)
 Annotated Code of Maryland
 (2018 Replacement Volume)

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

Article – Natural Resources~~4-210.~~

(a) ~~Except for a person employed to operate a vessel for a master fishing guide under § 4-701(r) of this title or a person permitted to operate a charter boat under § 4-210.2 of this subtitle, any person who desires to accept direct or indirect consideration for providing services as a fishing guide shall obtain a license.~~

(b) ~~In addition to any license required by this section, 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.~~

(c) ~~A person who is required to be licensed under this section must have all appropriate federal and State licenses in the person's possession whenever performing services as a fishing guide.~~

~~(d) A commercial fishing guide shall be required to submit reports monthly on forms provided by the Department.~~

~~(e) (1) The Secretary may establish by regulation vessel marking, first aid, and safety requirements with which all licensed fishing guides shall comply.~~

~~(2) The Department may suspend, revoke, or refuse to issue a license for failure to comply with the terms of the license.~~

~~(f) The Department may issue a tidal fish license under § 4-701 of this title and a freshwater fishing guide license under § 4-210.1 of this subtitle.~~

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

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

~~1. Have 1 or 2 occupants; and~~

~~2. Are propelled by oars or paddles; or~~

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

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

~~(2) (i) [A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (ii) OF THIS PARAGRAPH, A person may not accept any consideration for services as a fishing guide licensed under this subsection unless the person and all persons being guided possess, as applicable, an angler's license issued under § 4-604 of this title or a Chesapeake Bay and coastal sport fishing license issued under § 4-745 of this title.~~

~~(ii) 1. A PERSON MAY ACCEPT CONSIDERATION FOR SERVICES AS A FISHING GUIDE LICENSED UNDER THIS SUBSECTION IF THE PERSON:~~

~~A. IS GUIDING ANGLERS IN ACCORDANCE WITH PARAGRAPH (1)(i) OF THIS SUBSECTION; AND~~

~~B. POSSESSES, AS APPLICABLE, AN ANGLER'S LICENSE ISSUED UNDER § 4-604 OF THIS TITLE OR A CHESAPEAKE BAY AND COASTAL SPORT FISHING LICENSE ISSUED UNDER § 4-745 OF THIS TITLE.~~

~~2. A PERSON BEING GUIDED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION MAY NOT BE REQUIRED TO POSSESS AN ANGLER'S LICENSE ISSUED UNDER § 4-604 OF THIS TITLE OR A CHESAPEAKE BAY AND COASTAL SPORT FISHING LICENSE ISSUED UNDER § 4-745 OF THIS TITLE.~~

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

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

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

~~(h) (1) The fee for a limited fishing guide license under subsection (g) of this section shall be:~~

~~(i) For a resident, \$50; and~~

~~(ii) For a nonresident, \$100.~~

~~(2) All fees collected by the Department under this subsection shall be used for monitoring the freshwater fishery.~~

4-745.

(d) (1) The Department may provide by regulation for issuance of a special charter boat license that shall be effective for not more than 1 year and shall expire on August 31 and that would be valid for all individuals on a [charter boat] SINGLE VESSEL operated by a [licensed] fishing guide LICENSED UNDER § 4-210.1 OR § 4-701 OF THIS TITLE OR FOR ALL INDIVIDUALS ON A VESSEL UNDER THE GUIDANCE OF A FISHING GUIDE LICENSED UNDER § 4-210 OF THIS TITLE in tidal waters of the State. The fee shall be:

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019.

Approved by the Governor, April 30, 2019.