

HOUSE BILL 1167

M2

0lr2955

By: **Delegate Cox**

Introduced and read first time: February 7, 2020

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Hunting and Fishing Licenses – Discounts, Complimentary Licenses, and**
3 **Reporting**

4 FOR the purpose of repealing the termination provisions for certain provisions of law
5 relating to the issuance of complimentary or discounted hunting and fishing licenses
6 to certain military personnel, former prisoners of war, recipients of the Purple Heart
7 Award, and disabled veterans; requiring the Department of Natural Resources to
8 implement certain programs to provide certain discounted licenses, stamps, and
9 permits to Maryland residents who meet certain criteria; authorizing the
10 Department to issue certain complimentary licenses and permits to an out-of-state
11 person who certifies that the person meets certain criteria under certain
12 circumstances; repealing a requirement that the Department submit a certain report
13 to the Governor and the General Assembly on or before a certain date; making
14 conforming changes; and generally relating to hunting and fishing licenses.

15 BY repealing
16 Chapter 461 of the Acts of the General Assembly of 2017
17 Section 2

18 BY repealing and reenacting, with amendments,
19 Chapter 461 of the Acts of the General Assembly of 2017
20 Section 3

21 BY repealing
22 Chapter 462 of the Acts of the General Assembly of 2017
23 Section 2

24 BY repealing and reenacting, with amendments,
25 Chapter 462 of the Acts of the General Assembly of 2017
26 Section 3

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



BY repealing

Chapter 463 of the Acts of the General Assembly of 2017

Section 2

BY repealing and reenacting, with amendments,

Chapter 463 of the Acts of the General Assembly of 2017

Section 3

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–604(f), 4–607(a), and 4–745(a) and (e)

Annotated Code of Maryland

(2018 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–301(g) and 10–303(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2019 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That the Laws of Maryland read as follows:

Chapter 461 of the Acts of 2017

[SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31, 2019, the Department of Natural Resources shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the number of discounted angler’s licenses and trout stamps, Chesapeake Bay and coastal sport fishing licenses, and hunting licenses and associated State–issued stamps and permits issued to recipients of the Purple Heart award under this Act.]

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017. [It shall remain effective for a period of 3 years and, at the end of June 30, 2020, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.]

Chapter 462 of the Acts of 2017

[SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31, 2019, the Department of Natural Resources shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on:

(1) the number and identity of any other states that have enacted legislation authorizing the issuance of a lifetime complimentary angler’s license, a recreational salt water sport fishing license, or a hunting license to a Maryland resident who certifies that the resident is a former prisoner of war or a 100% service connected

disabled American veteran;

(2) the total number of complimentary angler's licenses, recreational salt water sport fishing licenses, and hunting licenses issued to Maryland residents under the legislation; and

(3) the total number of complimentary angler's licenses, Chesapeake Bay and coastal sport fishing licenses, and hunting licenses issued by the Department to out-of-state persons under this Act and § 10-303(a)(2)(ii) of the Natural Resources Article.]

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017. [It shall remain effective for a period of 3 years and, at the end of June 30, 2020, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.]

Chapter 463 of the Acts of 2017

[SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31, 2019, the Department of Natural Resources shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on:

(1) the number of discounted angler's licenses and trout stamps, Chesapeake Bay and coastal sport fishing licenses, and hunting licenses and associated State-issued stamps and permits issued to recipients of the Purple Heart Award under this Act;

(2) the number and identity of any other states that have enacted legislation authorizing the issuance of a lifetime complimentary angler's license, a recreational salt water sport fishing license, or a hunting license to a Maryland resident who certifies that the resident is a former prisoner of war or a 100% service connected disabled veteran;

(3) the total number of complimentary angler's licenses, recreational salt water sport fishing licenses, and hunting licenses issued to Maryland residents under the legislation; and

(4) the total number of complimentary angler's licenses, Chesapeake Bay and coastal sport fishing licenses, and hunting licenses issued by the Department to out-of-state persons under this Act and § 10-303(a)(2)(ii) of the Natural Resources Article.]

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017. [It shall remain effective for a period of 3 years and, at the end of June 30, 2020, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.]

Article – Natural Resources

4-604.

(f) (1) Subject to paragraph (3) of this subsection, the following annual license fees shall apply:

(i) Resident \$20.50

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

(iii) Resident and nonresident blind persons No fee

(iv) Complimentary license No fee

(2) For a nonresident:

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

1. \$30.50; or

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

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

1. \$7.50; or

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

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

1. \$5; or

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

(3) The Department shall implement a program to provide discounted angler's licenses and trout stamps to Maryland residents who [are]:

(I) ARE recipients of the Purple Heart Award;

1 **(II) ARE MEMBERS, RETIRED MEMBERS, OR HONORABLY**
2 **DISCHARGED MEMBERS OF THE ARMED FORCES OF THE UNITED STATES OR THE**
3 **NATIONAL GUARD;**

4 **(III) PROVIDE EMERGENCY MEDICAL, FIRE, OR RESCUE**
5 **SERVICES IN THE STATE; OR**

6 **(IV) ARE THE SPOUSES, CHILDREN, OR SPOUSES OF ANY**
7 **CHILDREN OF A PERSON WHO MEETS THE CRITERIA UNDER ITEM (I), (II), OR (III) OF**
8 **THIS PARAGRAPH.**

9 (4) (i) All fees collected by the Department under this section may only
10 be used in accordance with § 4–208 of this title.

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

13 4–607.

14 (a) (1) The Department may issue annually a complimentary angler's license
15 to the President of the United States, the governor of any state, and any official of the game
16 and fish department of any other state.

17 (2) The Department may issue a lifetime complimentary angler's license to
18 any Maryland resident who certifies that the resident is a former prisoner of war or 100%
19 service connected disabled American veteran.

20 (3) The Department may issue a lifetime complimentary angler's license to
21 an out-of-state person who certifies that the person is a former prisoner of war or a 100%
22 service connected disabled American veteran if the person's state of residence extends
23 similar privileges to former prisoners of war or 100% service connected disabled American
24 veterans of this State.

25 **(4) THE DEPARTMENT MAY ISSUE A LIFETIME COMPLIMENTARY**
26 **ANGLER'S LICENSE TO AN OUT-OF-STATE PERSON WHO CERTIFIES THAT THE**
27 **PERSON IS ONE OF THE FOLLOWING, IF THE PERSON'S STATE OF RESIDENCE**
28 **EXTENDS SIMILAR PRIVILEGES TO A RESIDENT OF THIS STATE MEETING THE SAME**
29 **CRITERIA:**

30 **(I) A MEMBER, RETIRED MEMBER, OR HONORABLY**
31 **DISCHARGED MEMBER OF THE ARMED FORCES OF THE UNITED STATES OR THE**
32 **NATIONAL GUARD;**

33 **(II) A PERSON WHO PROVIDES EMERGENCY MEDICAL, FIRE, OR**
34 **RESCUE SERVICES IN THE STATE OR THE PERSON'S STATE OF RESIDENCE; OR**

(III) A SPOUSE, CHILD, OR SPOUSE OF ANY CHILD OF A PERSON WHO MEETS THE CRITERIA UNDER ITEM (I) OR (II) OF THIS PARAGRAPH.

4-745.

(a) (1) Except as provided in subsections (c) and (d) of this section and § 4-217 of this title, a person may not fish for finfish in the Chesapeake Bay or in its tributaries up to tidal boundaries or in State waters of the Atlantic Ocean and the Atlantic coastal bays and their tributaries without first obtaining a Chesapeake Bay and coastal sport fishing license or registration issued under subsection (d)(3) of this section and possessing the license or registration.

(2) The license may be obtained from the Department or from any authorized agent of the Department.

(3) Subject to paragraph (4) of this subsection, the following annual license fees shall apply:

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

(ii) Short-term resident license valid for 7 consecutive days from date of issue.....\$6

(iii) For a short-term nonresident license valid for 7 consecutive days from date of issue.....\$12

(iv) Nonresident.....\$22.50

(v) Resident and nonresident blind persons.....No fee

(vi) Complimentary license under subsection (e) of this section.....No fee

(4) The Department shall implement a program to provide discounted Chesapeake Bay and coastal sport fishing licenses to Maryland residents who [are]:

(I) ARE recipients of the Purple Heart Award;

(II) ARE MEMBERS, RETIRED MEMBERS, OR HONORABLY DISCHARGED MEMBERS OF THE ARMED FORCES OF THE UNITED STATES OR THE NATIONAL GUARD;

(III) PROVIDE EMERGENCY MEDICAL, FIRE, OR RESCUE SERVICES IN THE STATE; OR

(IV) ARE THE SPOUSES, CHILDREN, OR SPOUSES OF ANY CHILDREN OF A PERSON WHO MEETS THE CRITERIA UNDER ITEM (I), (II), OR (III) OF THIS PARAGRAPH.

(5) Except as provided in subsection (d)(1) of this section, every Chesapeake Bay and coastal sport fishing license and registration shall be valid for 1 year following the date of issuance.

(6) An applicant for a license issued under this section shall provide all the information requested by the Department.

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

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

(3) The Department may issue a lifetime complimentary Chesapeake Bay and coastal sport fishing license to an out-of-state person who certifies that the person is a former prisoner of war or a 100% service connected disabled American veteran if the person's state of residence extends similar privileges to former prisoners of war or 100% service connected disabled American veterans of this State.

(4) THE DEPARTMENT MAY ISSUE A LIFETIME COMPLIMENTARY CHESAPEAKE BAY AND COASTAL SPORT FISHING LICENSE TO AN OUT-OF-STATE PERSON WHO CERTIFIES THAT THE PERSON IS ONE OF THE FOLLOWING, IF THE PERSON'S STATE OF RESIDENCE EXTENDS SIMILAR PRIVILEGES TO A RESIDENT OF THIS STATE MEETING THE SAME CRITERIA:

(I) A MEMBER, RETIRED MEMBER, OR HONORABLY DISCHARGED MEMBER OF THE ARMED FORCES OF THE UNITED STATES OR THE NATIONAL GUARD;

(II) A PERSON WHO PROVIDES EMERGENCY MEDICAL, FIRE, OR RESCUE SERVICES IN THE STATE OR THE PERSON'S STATE OF RESIDENCE; OR

(III) A SPOUSE, CHILD, OR SPOUSE OF ANY CHILD OF A PERSON WHO MEETS THE CRITERIA UNDER ITEM (I) OR (II) OF THIS PARAGRAPH.

[(4)] (5) A complimentary Chesapeake Bay and coastal sport fishing license is not transferable.

1 ~~[(5)] (6)~~ The Department may issue annually a complimentary
2 Chesapeake Bay and coastal sport fishing license to the President of the United States, the
3 governor of any state, and any official of the game and fish department of any other state.

4 ~~[(6)] (7)~~ Not more than 20 complimentary Chesapeake Bay and coastal
5 sport fishing licenses for each state other than Maryland shall be outstanding at any time.
6 10–301.

7 (g) (1) There shall be the following types of hunting licenses in the State:

8 (i) A resident hunting license that enables the purchaser to hunt all
9 legal game birds and mammals during any appropriate season in Maryland without the
10 purchase of additional stamps, unless the purchaser is hunting migratory game birds or
11 deer during bow and arrow season or black powder season. To hunt migratory game birds
12 the purchaser must also buy a Maryland migratory game bird stamp and to hunt wild
13 waterfowl the purchaser must buy both a Maryland migratory game bird stamp and a
14 federal migratory bird hunting and conservation stamp. To hunt deer during bow and arrow
15 season and black powder season the purchaser must also purchase a bow and arrow or
16 black powder stamp.

17 (ii) A nonresident hunting license that enables the purchaser to hunt
18 all legal game birds and mammals during any appropriate season without the purchase of
19 additional stamps unless the purchaser is hunting migratory game birds or deer during
20 bow and arrow season or black powder season. This license enables the purchaser to hunt
21 migratory game birds only with the purchase of a Maryland migratory game bird stamp
22 and to hunt wild waterfowl only with the purchase of both a Maryland migratory game bird
23 stamp and a federal migratory bird hunting and conservation stamp. This license enables
24 the purchaser to hunt deer during bow and arrow season and black powder season only
25 with the purchase of a nonresident bow and arrow or black powder stamp.

26 (iii) A nonresident 3–day hunting license that enables the purchaser
27 to hunt all legal game birds and mammals except deer and turkey for the 3 consecutive
28 legal hunting days in a single season that are specified on the license by the issuing agent.
29 The purchaser must also purchase a Maryland migratory game bird stamp to hunt
30 migratory game birds and a federal migratory bird hunting and conservation stamp to hunt
31 wild waterfowl with this license. Under no circumstance does this license authorize the
32 purchaser to hunt deer and turkey.

33 (iv) 1. An apprentice hunting license that enables the purchaser
34 to hunt all legal game birds and mammals in a single season without the purchase of
35 additional stamps unless the purchaser is hunting migratory game birds or deer during
36 bow and arrow season or black powder season. This license enables the purchaser to hunt
37 migratory game birds only with the purchase of a Maryland migratory game bird stamp
38 and to hunt wild waterfowl only with the purchase of both a Maryland migratory game bird
39 stamp and a federal migratory bird hunting and conservation stamp. This license enables
40 the purchaser to hunt deer during bow and arrow season and black powder season only

1 with the purchase of a bow and arrow or black powder stamp.

2 2. A. A person may obtain an apprentice hunting license
3 on satisfactory completion of a short online or electronic course of instruction in competency
4 in firearms and hunter safety approved by the Department.

5 B. A person may hunt under an apprentice hunting license
6 only if accompanied and directly supervised by another person who is at least 18 years of
7 age and possesses a valid resident nonapprentice hunting license issued under this subtitle.

8 C. A person who accompanies and directly supervises an
9 apprentice hunting licensee shall maintain close visual and verbal contact with, provide
10 adequate direction to, and be in a position to immediately assume control of the firearm of
11 the apprentice hunting licensee.

12 3. Except for a person participating in a junior hunt
13 approved by the Department, an apprentice hunting licensee who has obtained a certificate
14 of competency in firearms and hunter safety under § 10–301.1 of this subtitle may hunt
15 without supervision.

16 4. An apprentice hunting license:

17 A. May be issued to a person only once in the person's
18 lifetime;

19 B. May not be renewed; and

20 C. May not be issued to a person who has previously been
21 issued any hunting license under this subtitle.

22 (2) Residents may purchase a senior hunting license beginning in the
23 calendar year in which they attain the age of 65.

24 (3) A nonresident of any age must purchase either a nonresident hunting
25 license or a nonresident 3–day hunting license to hunt in the State.

26 (4) Subject to paragraph (6) of this subsection, the fees for hunting licenses
27 are according to the following schedule:

28 (i) Resident, junior, under the age of 16 years\$10.50

29 (ii) Resident, regular, at least 16 years old and under the age of 65
30 years..... \$24.50

31 (iii) Resident, senior, at least 65 years old..... \$5.00

32 (iv) Nonresident, regular, at least 16 years old..... \$130.00

- 1 (v) Nonresident, junior, under the age of 16 years..... \$65.00
- 2 (vi) Complimentary license authorized to be issued under § 10–303
3 of this subtitle..... No fee
- 4 (vii) Nonresident 3–day hunting license..... \$45.00
- 5 (viii) Resident apprentice..... \$10.00
- 6 (ix) Nonresident apprentice..... \$20.00
- 7 (5) The fees for individual hunting stamps are according to the following
8 schedule:
- 9 (i) Bow and arrow stamp \$6.00
- 10 (ii) Nonresident bow and arrow stamp \$25.00
- 11 (iii) Black powder stamp..... \$6.00
- 12 (iv) Nonresident black powder stamp..... \$25.00
- 13 (v) Maryland migratory game bird stamp \$9.00
- 14 (vi) Resident bonus antlered deer stamp..... \$10.00
- 15 (vii) Nonresident bonus antlered deer stamp for each type of deer
16 hunting season \$25
- 17 (6) The Department shall establish a program to provide discounted
18 hunting licenses and any associated State–issued stamps or permits to Maryland residents
19 who [are]:
- 20 (I) ARE recipients of the Purple Heart Award;
- 21 (II) ARE MEMBERS, RETIRED MEMBERS, OR HONORABLY
22 DISCHARGED MEMBERS OF THE ARMED FORCES OF THE UNITED STATES OR THE
23 NATIONAL GUARD;
- 24 (III) PROVIDE EMERGENCY MEDICAL, FIRE, OR RESCUE
25 SERVICES IN THE STATE; OR
- 26 (IV) ARE THE SPOUSES, CHILDREN, OR SPOUSES OF ANY
27 CHILDREN OF A PERSON WHO MEETS THE CRITERIA UNDER ITEM (I), (II), OR (III) OF
28 THIS PARAGRAPH.

1 10-303.

2 (a) (1) The Department annually may issue a complimentary hunting license
3 to the President of the United States, the governor of any state, or an official or an
4 enforcement officer of the game and fish management agency of another state which
5 reciprocally offers complimentary hunting licenses.

6 (2) (i) Subject to the requirements of § 10-301.1 of this subtitle, the
7 Department may issue a lifetime complimentary hunting license to a Maryland resident
8 who certifies that the resident is a former prisoner of war or 100% service connected
9 disabled American veteran.

10 (ii) Subject to the requirements of § 10-301.1 of this subtitle, the
11 Department may issue a lifetime complimentary hunting license to an out-of-state person
12 who certifies that the person is a former prisoner of war or a 100% service connected
13 disabled American veteran if the person's state of residence extends similar privileges to
14 former prisoners of war or 100% service connected disabled American veterans of this State.

15 (iii) **SUBJECT TO THE REQUIREMENTS OF § 10-301.1 OF THIS**
16 **SUBTITLE, THE DEPARTMENT MAY ISSUE A LIFETIME COMPLIMENTARY HUNTING**
17 **LICENSE TO AN OUT-OF-STATE PERSON WHO CERTIFIES THAT THE PERSON IS ONE**
18 **OF THE FOLLOWING, IF THE PERSON'S STATE OF RESIDENCE EXTENDS SIMILAR**
19 **PRIVILEGES TO A RESIDENT OF THIS STATE MEETING THE SAME CRITERIA:**

20 1. **A MEMBER, RETIRED MEMBER, OR HONORABLY**
21 **DISCHARGED MEMBER OF THE ARMED FORCES OF THE UNITED STATES OR THE**
22 **NATIONAL GUARD;**

23 2. **A PERSON WHO PROVIDES EMERGENCY MEDICAL,**
24 **FIRE, OR RESCUE SERVICES IN THE STATE OR THE PERSON'S STATE OF RESIDENCE;**
25 **OR**

26 3. **A SPOUSE, CHILD, OR SPOUSE OF ANY CHILD OF A**
27 **PERSON WHO MEETS THE CRITERIA UNDER ITEM 1 OR 2 OF THIS SUBPARAGRAPH.**

28 (3) A complimentary license is not transferable.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
30 1, 2020.