

Department of Legislative Services  
Maryland General Assembly  
2015 Session

FISCAL AND POLICY NOTE  
Revised

House Bill 785 (Delegate Flanagan, *et al.*)  
Environment and Transportation Education, Health, and Environmental Affairs

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Recreational Fishing Licenses - Duration and Expiration Date

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This bill modifies expiration dates and/or terms of specified recreational fishing and fishing guide licenses.

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Fiscal Summary

**State Effect:** Special fund revenues increase, potentially by more than \$20,000 annually, beginning in FY 2016, due to additional annual recreational fishing license purchases. Although programming costs are incurred in FY 2016, expenditures are not materially affected.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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Analysis

**Bill Summary:** Under the bill, a freshwater fishing guide license is valid for a term established by the Department of Natural Resources (DNR) in regulation, replacing a requirement that the license be valid for not more than one year and expire on December 31 of each year following the date of issuance.

A resident consolidated senior sport fishing license, an angler's license, and a Chesapeake Bay and coastal sport fishing license or registration are valid for one year following the date of issuance, replacing requirements that the licenses or registrations expire on December 31.

A special charter boat license valid for all individuals on a charter boat operated by a licensed fishing guide in tidal waters is made effective for not more than one year and expires on August 31.

DNR must proportionally prorate the annual license fee for any fishing license for which the duration of the license is shortened under the bill.

### **Current Law:**

#### *Freshwater Fishing Guide License*

A person who provides fishing guide services for compensation to a person fishing in nontidal freshwaters or specified areas of tidal waters for game and freshwater fish must obtain a freshwater fishing guide license. The license is valid for not more than one year and expires on December 31 of each year following the date of issuance.

#### *Angler and Sportfishing Licenses*

DNR is required to establish a resident consolidated senior sport fishing license to be issued to Maryland residents beginning in the calendar year in which they turn 65. Subject to exceptions, a person who is age 16 or older must have an angler's license to fish in the nontidal waters of the State. Also subject to exceptions, a person must have a Chesapeake Bay and coastal sport fishing license or registration in order to fish for finfish in the Chesapeake Bay or its tributaries, up to tidal boundaries, or in State waters of the Atlantic Ocean and the Atlantic coastal bays and their tributaries. These licenses and registrations are each valid for not more than one year and expire on December 31.

#### *Special Charter Boat License*

DNR must provide by regulation for issuance of a special charter boat license that is valid for all individuals on a charter boat operated by a licensed fishing guide in tidal waters. According to DNR, the special charter boat license is issued for a term from January 1 through December 31. The term of the tidal fish license for a licensed fishing guide in tidal waters is 12 months, from September 1 through August 31 of the following year.

**Background:** DNR indicates that changing the expiration date of annual recreational fishing licenses to one year from the date of issuance rather than December 31 is expected to increase the number of annual licenses issued since a person will be able to use a license for a full year regardless of when it is purchased. It may cause a person that (1) otherwise would have bought a short-term angler's or Chesapeake Bay and coastal sport fishing license to instead purchase an annual license; (2) otherwise would not have purchased any type of license to purchase an annual license; or (3) otherwise would have purchased a license in Virginia (with which Maryland has license reciprocity) to purchase a Maryland

annual license. Virginia recreational fishing licenses are valid for one year from the date of issuance.

The change in the term of a freshwater fishing guide license to a term established by DNR in regulation allows DNR to accommodate the needs of what the department indicates is a small group of licensees. Setting the term of the special charter boat license that is valid for all individuals on a charter boat from September 1 through August 31 aligns the term with the term of the tidal fish license of the fishing guide who is purchasing the special charter boat license.

**State Revenues:** Special fund revenues are expected to increase overall as a result of additional annual recreational fishing licenses being purchased. The fees are deposited in the Fisheries Management and Protection Fund and the Fisheries Research and Development Fund. *For illustrative purposes*, accounting only for resident Chesapeake Bay and coastal sport fishing licenses, based on recent data regarding the number of licensees, if 10% of short-term license purchases are replaced with annual license purchases, annual special fund revenues increase by approximately \$6,500. Given the possibility of revenue increases also resulting from (1) annual license purchases replacing short-term nonresident Chesapeake Bay and coastal sport fishing licenses and short-term resident and nonresident angler's licenses and (2) any annual license purchases by persons who otherwise would not have purchased a license or would have purchased a Virginia license, special fund revenues may increase by more than \$20,000 annually beginning in fiscal 2016 as a result of the bill.

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### Additional Information

**Prior Introductions:** None.

**Cross File:** SB 666 (Senator Bates, *et al.*) – Education, Health, and Environmental Affairs.

**Information Source(s):** Department of Natural Resources, Comptroller's Office, Department of Legislative Services

**Fiscal Note History:** First Reader - March 5, 2015  
mar/lgc Revised - House Third Reader/Clarification - March 30, 2015  
Revised - Enrolled Bill - April 29, 2015

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