

HB1249/364338/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1249
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Fishing” insert “Licenses”; strike beginning with “Complimentary” in line 2 down through “Recipients” in line 3 and substitute “Disabled Active Military, Former Prisoners of War, Recipients of the Purple Heart Award, and Disabled Veterans”; strike beginning with “authorizing” in line 4 down through “award” in line 8 and substitute “exempting a certain person serving in the armed forces of the United States from the requirement to obtain certain licenses to fish in certain waters of the State under certain circumstances; authorizing the Department of Natural Resources to issue certain complimentary hunting and fishing licenses 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; repealing a certain limit on the number of complimentary angler’s licenses for each state other than Maryland that may be outstanding at any time; making a certain complimentary hunting license subject to certain provisions of law; making conforming changes; requiring the Department to implement a program to provide certain discounted licenses to Maryland residents who are recipients of the Purple Heart Award; providing for the termination of certain provisions of this Act”; in line 8, strike “certain”; in line 9, strike “complimentary”; in line 12, after “Section” insert “4-604(c).”; in the same line, after “4-607,” insert “4-614(a)(2).”; in the same line, strike “4-745(e)” and substitute “4-745(c) and (e)”; in the same line, after “10-303” insert “(a)(2)”; and strike in their entirety lines 15 through 19, inclusive.

AMENDMENT NO. 2

On page 2, after line 5, insert:

“4-604.”

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(c) An angler's license is not required of the following:

(1) 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;

(2) Any resident serving in the armed forces of the United States, while on leave in the State, during [his] **THE RESIDENT'S** leave period, if, while angling, [he] **THE RESIDENT** possesses a copy of [his] **THE RESIDENT'S** official leave [orders] **ORDER;**

(3) **ANY PERSON SERVING IN THE ARMED FORCES OF THE UNITED STATES WHO HAS A SERVICE CONNECTED DISABILITY, IF, WHILE ANGLING, THE PERSON POSSESSES VALID MILITARY IDENTIFICATION;**

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

[(4)] (5) A person holding a current resident consolidated senior sport fishing license issued under § 4-216 of this title;

[(5)] (6) A person fishing in a free fishing area established under § 4-214(b)(2) of this title; or

[(6)] (7) A person authorized by a disability exemption issued under § 4-217 of this title.”;

strike in their entirety lines 13 through 19, inclusive, and substitute:

“(3) THE DEPARTMENT MAY ISSUE A LIFETIME COMPLIMENTARY ANGLER’S 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.”;

strike beginning with “Not” in line 20 down through “(c)” in line 22; in line 22, strike “ANGLER’S”; in line 24, strike “(d)” and substitute “(C)”; after line 27, insert:

“4-614.

(a) (2) A trout stamp is not required of the following:

(i) A holder of a current resident consolidated senior sport fishing license issued under § 4-216 of this title;

(ii) A holder of a lifetime complimentary angler’s license for service disabled veterans or former prisoners of war issued under § 4-607(a)(2) OR (3) of this subtitle;

(iii) A person authorized by a disability exemption issued under § 4-217 of this title;

(iv) [A] ANY resident serving in the armed forces of the United States while on leave [if] IN THE STATE, DURING THE RESIDENT’S LEAVE PERIOD, IF, WHILE ANGLING, the resident possesses a copy of the resident’s official leave order [while fishing]; [or]

(Over)

(V) ANY PERSON SERVING IN THE ARMED FORCES OF THE UNITED STATES WHO HAS A SERVICE CONNECTED DISABILITY, IF, WHILE ANGLING, THE PERSON POSSESSES VALID MILITARY IDENTIFICATION; OR

[(v)](VI) A person under 16 years of age.”;

and strike in their entirety lines 29 through 32, inclusive.

On page 3, strike in their entirety lines 1 and 2, inclusive, and substitute:

“(c) A person may fish for finfish in the Chesapeake Bay or its tidal tributaries or in State waters of the Atlantic Ocean and coastal bays and their tributaries without a Chesapeake Bay and coastal sport fishing license if the person:

(1) Is under the age of 16;

(2) Possesses a valid commercial license;

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

(4) Is fishing pursuant to any special charter boat license issued under subsection (d)(1) of this section;

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

(ii) Is a resident of this State;

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

(iv) Has, while fishing, a copy of the person's official leave orders]

IS A RESIDENT SERVING IN THE ARMED FORCES OF THE UNITED STATES WHILE ON LEAVE IN THE STATE, DURING THE RESIDENT'S LEAVE PERIOD, IF, WHILE FISHING, THE RESIDENT POSSESSES A COPY OF THE RESIDENT'S OFFICIAL LEAVE ORDER;

(6) SERVES IN THE ARMED FORCES OF THE UNITED STATES AND HAS A SERVICE CONNECTED DISABILITY, IF, WHILE FISHING, THE PERSON POSSESSES VALID MILITARY IDENTIFICATION;

~~[(6)]~~ (7) Fishes on a free fishing day designated by the Secretary;

~~[(7)]~~ (8) Holds a current resident consolidated senior sport fishing license issued under § 4-216 of this title;

~~[(8)]~~ (9) Holds a current registration issued under subsection (d)(3) of this section; or

~~[(9)]~~ (10) Is fishing on a commercial fishing pier licensed under subsection (d)(4) of this section.”;

in line 7, strike “(I)”;

strike lines 11 through 17, inclusive, and substitute:

“(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

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STATE OF RESIDENCE EXTENDS SIMILAR PRIVILEGES TO FORMER PRISONERS OF WAR OR 100% SERVICE CONNECTED DISABLED AMERICAN VETERANS OF THIS STATE.”;

in line 18, strike “(3)” and substitute “**(4)**”; in the same line, strike “**CHESAPEAKE BAY AND COASTAL SPORT FISHING**”; strike beginning with “(1)” in line 21 down through “licenses.” in line 24; in lines 25 and 28, in each instance, strike “The” and substitute “**SUBJECT TO THE REQUIREMENTS OF § 10-301.1 OF THIS SUBTITLE, THE**”; in lines 25 and 28, in each instance, strike the bracket; and in lines 26 and 29, in each instance, strike “**HUNTING**”.

On page 4, strike in their entirety lines 1 through 13, inclusive; after line 20, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Natural Resources shall implement a program to provide discounted anglers’ licenses, Chesapeake Bay and coastal sport fishing licenses, and hunter’s licenses to Maryland residents who are recipients of the Purple Heart Award.”;

in line 21, strike “2.” and substitute “**3.**”; and in line 22, after “2016.” insert “**Section 2 of this Act shall remain effective for a period of 3 years and, at the end of June 30, 2019, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.**”.