

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 62 (Chair, Environment and Transportation Committee)(By
Request - Departmental - Natural Resources)

Environment and Transportation Education, Health, and Environmental Affairs

Natural Resources - Fishing and Hunting Licenses

This departmental bill alters various provisions governing fishing and hunting licenses and registrations by removing references and procedures relating to nonelectronic forms and documents. The bill also makes other specified changes relating to licensing and agents that sell and issue licenses on behalf of the Department of Natural Resources (DNR).

The bill takes effect July 1, 2016.

Fiscal Summary

State Effect: The bill does not materially affect State finances.

Local Effect: None.

Small Business Effect: DNR has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Bill Summary: In addition to removing references and procedures relating to nonelectronic forms and documents, the bill:

- adds nonresident senior hunting licenses to the list of licenses for which persons designated by DNR to sell and issue hunting licenses and stamps may retain \$1.50 per license as compensation;

- eliminates the authorizations for DNR or license agents to issue, for certain licenses or stamps, a duplicate license or stamp to a licensee that has lost their license or stamp, for a small fee;
- modifies the length of time a licensee and/or other person must go without a license after a conviction for fishing without possession of an angler's license or using another's license, from "the following calendar year" to "1 year following the date of conviction";
- modifies the length of time a licensee and/or other person must go without a license after a conviction for hunting without possession of a license or using another's license, from "the following calendar year" to "the following hunting license year" (August through July);
- eliminates a requirement that an agent selling Chesapeake Bay and coastal sport fishing licenses provide adequate security to DNR to insure ultimate payment by the agent to the department for the licenses;
- establishes that, in addition to any other penalty under State fisheries law, an agent convicted of violating provisions relating to Chesapeake Bay and coastal sport fishing licenses loses the agent's privileges;
- eliminates requirements for specific information or identification that must be provided by an applicant for a hunting license; instead, the bill authorizes DNR to determine the information that must be provided by an applicant (with the exception of the last four digits of the applicant's Social Security number, if the applicant has a Social Security number, which remains a statutory requirement); and
- eliminates a prohibition against a hunting license being issued to any person younger than age 16 without the written consent of the person's parent or guardian.

Current Law/Background:

References/Procedures Relating to Nonelectronic Forms and Documents

Various statutory provisions governing the application for, issuance of, and possession of fishing and hunting licenses and registrations refer to, or imply, the use or possession of nonelectronic forms or documents. DNR indicates that these paper-centric provisions are not fully compatible with the department's online licensing system (COMPASS) and prevent any future transition to modern electronic delivery of fishing and hunting licenses in which individuals could show an electronic copy of their license on a cell phone or other device as proof of possession of a license.

Agent Compensation for Issuing Nonresident Senior Hunting License

The addition of nonresident senior hunting licenses to the list of licenses for which license agents may retain \$1.50 per license as compensation corrects an omission under

Chapter 260 of 2015, which created the nonresident senior hunting license. DNR indicates that license agents currently receive compensation for issuing the licenses, despite the omission, because the agents are providing a service to the department.

Duplicate Licenses

DNR or license agents are, for certain licenses or stamps, authorized to issue a duplicate license or stamp to a licensee that has lost his/her license or stamp, for a small fee. DNR indicates that since the implementation of COMPASS, licensees have been able to reprint their licenses free of charge.

Penalties for Not Possessing a License or Using Another Person's License

DNR indicates that the modifications to the length of time for which persons must go without a license after a conviction for fishing or hunting without possession of an angler's or hunting license or using another person's license reflect the fact that licenses are not issued on a calendar year basis.

Repeal of Security Requirement

While the bill repeals the requirement that an agent selling Chesapeake Bay and coastal sport fishing licenses provide adequate security to DNR to insure payment to the department, DNR indicates that it has needed to look to security provided by agents for payment infrequently. Requirements that security be provided by agents for angler's and hunting licenses are unchanged by the bill.

Loss of Agent Privileges

Under current law, a license agent can lose his/her privileges if convicted of violating provisions relating to angler's and hunting licenses. The bill adds a similar provision with respect to Chesapeake Bay and coastal sport fishing licenses.

Information/Identification Provided with a Hunting License Application

An application for a hunting license must contain the applicant's name, height, color of eyes and hair, place of residence, and the last four digits of the applicant's Social Security number, if the applicant has a Social Security number. If an applicant is a nonresident, the applicant also must present a driver's license, voter's card, or resident hunter's license.

Repeal of Parental/Guardian Consent Requirement

A hunting license may not be issued to any person younger than age 16 without the written consent of the person's parent or guardian.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Natural Resources, Office of Administrative Hearings, Department of Legislative Services

Fiscal Note History: First Reader - January 25, 2016
min/lgc

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: **Department of Natural Resources – Fishing and Hunting Licenses**

BILL NUMBER: HB 62

PREPARED BY: The Department of Natural Resources

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

 X WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

 WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The bill repeals or amends provisions in current law that require or assume that fishing and hunting licenses and applications for them are on paper, opening the way for DNR to develop a completely electronic system for fishing and hunting licenses. It will have minimal or no impact on Maryland small businesses.