

SENATE BILL 389

C2, E4, R4

6lr0160
CF HB 459

By: **The President (By Request – Administration) and Senators Bates, Brochin, Cassilly, Eckardt, Edwards, Hershey, Hough, Jennings, Norman, Ready, Reilly, Salling, Serafini, Simonaire, and Waugh**

Introduced and read first time: January 28, 2016

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 23, 2016

CHAPTER _____

1 AN ACT concerning

2 ~~Fee, Surcharge, and Tax~~ Birth and Death Certificates – Fee Reduction Act of
3 2016

4 FOR the purpose of ~~repealing a requirement that the Public Service Commission impose a~~
5 ~~certain environmental surcharge; altering certain application and renewal fees for~~
6 ~~certain licenses issued by the Maryland Home Improvement Commission; altering~~
7 ~~the fee that the State Court Administrator is required to charge for the special~~
8 ~~admission of an out of state attorney; repealing a requirement that the State Court~~
9 ~~Administrator pay a certain portion of a certain fee to a certain program; altering~~
10 ~~certain fees for certified copies of certain certificates; altering the portion of certain~~
11 ~~fees collected by local health departments required to be transferred to the General~~
12 ~~Fund; altering the distribution of certain proceeds from the sale of certain~~
13 ~~allowances; repealing the requirement that the Public Service Commission establish~~
14 ~~the amount of a certain surcharge; repealing a requirement that the Secretary of~~
15 ~~Natural Resources take certain actions in consultation with the Director of the~~
16 ~~Maryland Energy Administration; repealing a requirement that the Maryland~~
17 ~~Energy Administration receive certain administrative and fiscal support from a~~
18 ~~certain fund; providing the sales and use tax does not apply to certain sales in the~~
19 ~~form of a certain demurrage charge; altering a certain fee that certain vehicle owners~~
20 ~~are required to pay for the original and renewal application of certain special~~
21 ~~registrations; repealing the application and renewal fee for a certain handgun~~
22 ~~qualification license; altering certain fees for registering certain weight and~~
23 ~~measures used for certain commercial purposes; altering a certain fee related to~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 ~~certain wetlands and waterways authorizations; altering the annual license fees for~~
2 ~~certain fishing licenses; making conforming changes; providing for the delayed~~
3 ~~effective date for certain provisions of this Act; and generally relating to altering~~
4 ~~certain fees, surcharges, and taxes fees and distribution of certain revenue fees for~~
5 ~~birth and death certificates.~~

6 ~~BY repealing~~

7 ~~Article — Public Utilities~~

8 ~~Section 7-203~~

9 ~~Annotated Code of Maryland~~

10 ~~(2010 Replacement Volume and 2015 Supplement)~~

11 ~~BY repealing and reenacting, with amendments,~~

12 ~~Article — Business Regulation~~

13 ~~Section 8-303(a) and 8-308(d)(2)~~

14 ~~Annotated Code of Maryland~~

15 ~~(2015 Replacement Volume and 2015 Supplement)~~

16 ~~BY repealing and reenacting, with amendments,~~

17 ~~Article — Courts and Judicial Proceedings~~

18 ~~Section 7-202(f)~~

19 ~~Annotated Code of Maryland~~

20 ~~(2013 Replacement Volume and 2015 Supplement)~~

21 ~~BY repealing and reenacting, with amendments,~~

22 ~~Article — Education~~

23 ~~Section 18-1504(a) and (b)~~

24 ~~Annotated Code of Maryland~~

25 ~~(2014 Replacement Volume and 2015 Supplement)~~

26 BY repealing and reenacting, with amendments,

27 Article – Health – General

28 Section 4-217(c)(1)(ii) and (3)

29 Annotated Code of Maryland

30 (2015 Replacement Volume)

31 ~~BY repealing and reenacting, with amendments,~~

32 ~~Article — Environment~~

33 ~~Section 2-1002(g) and 5-203.1(b)(1)~~

34 ~~Annotated Code of Maryland~~

35 ~~(2013 Replacement Volume and 2015 Supplement)~~

36 ~~BY repealing and reenacting, with amendments,~~

37 ~~Article — Natural Resources~~

38 ~~Section 3-302, 4-604(f)(1) and (2), and 4-745(a) and (d)~~

39 ~~Annotated Code of Maryland~~

40 ~~(2012 Replacement Volume and 2015 Supplement)~~

1 ~~BY repealing and reenacting, without amendments,~~
2 ~~Article — Natural Resources~~
3 ~~Section 4 — 604(a)~~
4 ~~Annotated Code of Maryland~~
5 ~~(2012 Replacement Volume and 2015 Supplement)~~

6 ~~BY repealing and reenacting, without amendments,~~
7 ~~Article — State Government~~
8 ~~Section 9 — 20B — 05(a) through (d)~~
9 ~~Annotated Code of Maryland~~
10 ~~(2014 Replacement Volume and 2015 Supplement)~~

11 ~~BY repealing and reenacting, with amendments,~~
12 ~~Article — State Government~~
13 ~~Section 9 — 20B — 05(e)~~
14 ~~Annotated Code of Maryland~~
15 ~~(2014 Replacement Volume and 2015 Supplement)~~

16 ~~BY adding to~~
17 ~~Article — Tax — General~~
18 ~~Section 11 — 202~~
19 ~~Annotated Code of Maryland~~
20 ~~(2010 Replacement Volume and 2015 Supplement)~~

21 ~~BY repealing and reenacting, with amendments,~~
22 ~~Article — Transportation~~
23 ~~Section 13 — 613~~
24 ~~Annotated Code of Maryland~~
25 ~~(2012 Replacement Volume and 2015 Supplement)~~

26 ~~BY repealing and reenacting, with amendments,~~
27 ~~Article — Public Safety~~
28 ~~Section 5 — 117.1(g) and (j)~~
29 ~~Annotated Code of Maryland~~
30 ~~(2011 Replacement Volume and 2015 Supplement)~~

31 ~~BY repealing and reenacting, with amendments,~~
32 ~~Article — Agriculture~~
33 ~~Section 11 — 204.7~~
34 ~~Annotated Code of Maryland~~
35 ~~(2007 Replacement Volume and 2015 Supplement)~~

36 ~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,~~
37 ~~That Section 7 — 203 of Article — Public Utilities of the Annotated Code of Maryland be~~
38 ~~repealed.~~

1 SECTION ~~2. AND BE IT FURTHER ENACTED~~ 1. BE IT ENACTED BY THE
2 GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

3 ~~Article—Business Regulation~~

4 ~~§ 303.~~

5 (a) (1) ~~An applicant for a license shall:~~

6 (i) ~~submit to the Commission an application on the form that the~~
7 ~~Commission provides;~~

8 (ii) ~~submit to the Commission with the license application proof of~~
9 ~~compliance with the insurance requirement of § 8-302.1 of this subtitle, if the applicant is~~
10 ~~applying for a contractor license;~~

11 (iii) ~~pay into the Fund the fee required under § 8-404(a) of this title,~~
12 ~~if the applicant is applying for a contractor license; and~~

13 (iv) ~~pay to the Commission an application fee.~~

14 (2) ~~The application fee:~~

15 (i) ~~for a contractor license is [\$250] \$225 for each place of business~~
16 ~~of the contractor;~~

17 (ii) ~~for a subcontractor license is [\$150] \$125; or~~

18 (iii) ~~for a salesperson license is [\$100] \$75.~~

19 (3) ~~The fee for processing an application is [\$20] \$15.~~

20 ~~§ 308.~~

21 (d) (2) ~~The renewal fee:~~

22 (i) ~~for a contractor license is [\$250] \$225 for each place of business~~
23 ~~of the contractor;~~

24 (ii) ~~for a subcontractor license is [\$150] \$125; or~~

25 (iii) ~~for a salesperson license is [\$100] \$75.~~

26 ~~Article—Courts and Judicial Proceedings~~

27 ~~7-202.~~

1 ~~(f) The State Court Administrator shall:~~

2 ~~(1) Assess] ASSESS a [\$100] \$25 fee for the special admission of an~~
 3 ~~out of state attorney under § 10-215 of the Business Occupations and Professions Article];~~
 4 ~~and~~

5 ~~(2) Pay \$75 of the fee to the Janet L. Hoffman Loan Assistance Repayment~~
 6 ~~Program established under § 18-1502 of the Education Article].~~

7 ~~Article – Education~~

8 ~~18-1504.~~

9 ~~(a) Funds for the Janet L. Hoffman Loan Assistance Repayment Program~~
 10 ~~described in subsection [(b)(2)] (B) of this section shall be allocated by the Commission to~~
 11 ~~an individual who:~~

12 ~~(1) Has received a graduate degree from a school of law; and~~

13 ~~(2) Has submitted an application for the Janet L. Hoffman Loan Assistance~~
 14 ~~Repayment Program that the Commission disapproved due to insufficient funds.~~

15 ~~(b) Funds for the Janet L. Hoffman Loan Assistance Repayment Program shall:~~

16 ~~(1) Be] BE provided on an annual basis in the State budget]; and~~

17 ~~(2) Include money paid to the Program from the fee charged for a special~~
 18 ~~admission of an out of state attorney under § 7-202(f) of the Courts Article].~~

19 ~~Article – Health – General~~

20 ~~4-217.~~

21 ~~(c) (1) Except as otherwise provided by law:~~

22 ~~(ii) The Department shall collect a [\$24] \$12 fee:~~

23 ~~1. For each certified or abridged copy of a birth certificate;~~

24 ~~2. For the first copy of a certified or abridged death certificate~~
 25 ~~issued in a single transaction;~~

26 ~~3. For a report that a search of the birth or death certificate~~
 27 ~~files was made and the requested record is not on file; or~~

1 4. For each change to a birth or death certificate made later
2 than 1 year after the certificate has been registered with the Department; and

3 (3) (i) Any local health department may set and collect a fee for
4 processing and issuing a birth certificate, or for a report that a search of the files was made
5 and the requested record is not on file, that covers:

6 1. The administrative costs of providing this service; and

7 2. The requirements of subparagraph (iii) of this paragraph.

8 (ii) The fee set by the local health department for processing and
9 issuing a birth certificate or for a report under subparagraph (i) of this paragraph may not
10 exceed the actual costs to the local health department for processing and issuing a birth
11 certificate or a report.

12 (iii) From the fee the local health department collects under
13 subparagraph (i) of this paragraph, [~~\$20~~] \$10 shall be transferred to the General Fund.

14 (iv) Prior to setting and collecting a fee for processing and issuing a
15 birth certificate or for a report under subparagraph (i) of this paragraph, the local health
16 department shall enter into a memorandum of understanding with the Department of
17 Health and Mental Hygiene that outlines the local health department's fee structure.

18 ~~Article—Environment~~

19 ~~§ 1002.~~

20 (g) (1) ~~In this subsection, "allowance" means one ton of carbon dioxide that~~
21 ~~may be bought, sold, traded, or banked for use under the Regional Greenhouse Gas~~
22 ~~Initiative.~~

23 (2) ~~Not later than June 30, 2007, the Governor shall include the State as a~~
24 ~~full participant in the Regional Greenhouse Gas Initiative among Mid-Atlantic and~~
25 ~~Northeast states.~~

26 (3) ~~The State may withdraw from the Initiative, as provided in the~~
27 ~~December 20, 2005 memorandum of understanding of the Initiative, at any time after~~
28 ~~January 1, 2009.~~

29 (4) ~~If the Regional Greenhouse Gas Initiative expires and there is a~~
30 ~~successor organization with the same purposes and goals, the Governor is encouraged to~~
31 ~~join the State in the successor organization.~~

32 (5) ~~Notwithstanding § 2-107 of this title, all of the proceeds from the sale~~
33 ~~of Maryland allowances under the Regional Greenhouse Gas Initiative shall be deposited~~
34 ~~in the Maryland Strategic Energy Investment Fund under § 9-20B-05 of the State~~

~~Government Article, EXCEPT THAT UP TO \$10,000,000 ANNUALLY SHALL BE DEPOSITED DIRECTLY INTO THE ENVIRONMENTAL TRUST FUND ESTABLISHED UNDER TITLE 3, SUBTITLE 3 OF THE NATURAL RESOURCES ARTICLE TO MEET THE BUDGETARY NEEDS OF THE POWER PLANT RESEARCH PROGRAM.~~

~~(6) If the State's participation in the Regional Greenhouse Gas Initiative ceases for any reason, the Governor shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, regarding:~~

~~(i) Why participation ceased; and~~

~~(ii) A plan to reduce carbon dioxide emissions from power plants in the State that considers the use of Maryland grown, native, warm season grasses as a possible method of reducing carbon emissions.~~

~~Article — Natural Resources~~

~~§ 3-302.~~

~~(a) (1) There is an Environmental Trust Fund.~~

~~[(2) For the purpose of this subtitle, there is established as an added cost of electricity distributed to retail electric customers within the State, an environmental surcharge per kilowatt hour of electric energy distributed in the State to be paid by any electric company as defined in § 1-101 of the Public Utilities Article. The Public Service Commission shall impose the surcharge per kilowatt hour of electric energy distributed to retail electric customers within the State and shall authorize the electric companies to add the full amount of the surcharge to retail electric customers' bills. To the extent that the surcharge is not collected from retail electric customers, the surcharge shall be deemed a cost of distribution and shall be allowed and computed as such, together with other allowable expenses, for rate-making purposes. Revenues from the surcharge shall be collected by the Comptroller and placed in the Fund.]~~

~~(2) THE FUND CONSISTS OF PROCEEDS RECEIVED FROM THE SALE OF ALLOWANCES FROM THE REGIONAL GREENHOUSE GAS INITIATIVE IN ACCORDANCE WITH § 2-1002(G) OF THE ENVIRONMENT ARTICLE.~~

~~[(b) (1) The Secretary, in consultation with the Director of the Maryland Energy Administration, annually shall coordinate the preparation of a budget required to carry out the provisions of this subtitle. Upon approval of the budget by the General Assembly, the Public Service Commission shall establish the amount of the surcharge per kilowatt hour for the fiscal year beginning July 1, 1972, and for each subsequent fiscal year.~~

~~(2) Notwithstanding any other provisions of this subtitle, the amount of the surcharge for each account for each retail electric customer may not exceed the lesser of~~

1 ~~0.15 mill per kilowatt hour or \$1,000 per month and the surcharge may not continue beyond~~
2 ~~fiscal year 2020.~~

3 ~~(3) The Comptroller shall maintain the method of collection of the~~
4 ~~surcharge from the companies and the collections shall accrue to the Fund. The Department~~
5 ~~shall credit against the amount required to be paid into the Environmental Trust Fund by~~
6 ~~each electric company an amount equal to 0.75% of the total surcharge attributed to each~~
7 ~~company on the basis of the electricity distributed within Maryland.]~~

8 ~~(B) THE SECRETARY ANNUALLY SHALL COORDINATE THE PREPARATION OF~~
9 ~~A BUDGET REQUIRED TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.~~

10 ~~(e) (1) (i) The Secretary shall administer the Fund.~~

11 ~~(ii) The Fund is subject to the provisions for financial management~~
12 ~~and budgeting established by the Department of Budget and Management.~~

13 ~~(iii) Any investment earnings of the Fund shall be credited to the~~
14 ~~General Fund of the State.~~

15 ~~(iv) The Fund is a special, nonlapsing fund that is not subject to §~~
16 ~~7-302 of the State Finance and Procurement Article.~~

17 ~~(v) Except as provided in paragraph (2) of this subsection, the~~
18 ~~moneys in the Fund shall be used to carry out the provisions of this subtitle as provided for~~
19 ~~in the budget.~~

20 ~~(vi) For the purposes of this subtitle, the Secretary[, in consultation~~
21 ~~with the Director of the Maryland Energy Administration,] may execute appropriate~~
22 ~~contracts with any State or federal agency, research organization, industry, or academic~~
23 ~~institution to conduct the necessary research, construct or acquire, or both, real property~~
24 ~~including physical predictive models, laboratories, buildings, land, and appurtenances, or~~
25 ~~support the technological development of extraordinary systems related to power plants~~
26 ~~designed to minimize environmental impact.~~

27 ~~(vii) The Secretary may utilize available expertise in any other State~~
28 ~~unit in the development, execution, and management of contracts and agreements on~~
29 ~~projects relating to their areas of prime responsibility.~~

30 ~~(2) Moneys in the Fund may be used for administrative costs calculated in~~
31 ~~accordance with § 1-103(b)(2) of this article.~~

32 ~~(d) [(1) The Maryland Energy Administration shall receive administrative and~~
33 ~~fiscal support from the Fund for studies relating to the conservation or production of electric~~
34 ~~energy.~~

~~(7) money transferred from the Public Service Commission under § 7-207.2(e)(3) of the Public Utilities Article.~~

~~Article Tax General~~

~~11-202.~~

~~THE SALES AND USE TAX DOES NOT APPLY TO A SALE IN THE FORM OF A DEMURRAGE CHARGE MADE IN THE NATURE OF A PENALTY FOR FAILURE TO RETURN A GAS CYLINDER WITHIN A DESIGNATED PERIOD.~~

~~Article Transportation~~

~~13-613.~~

~~(a) (1) The owner of any vehicle described in paragraph (2) of this subsection may apply to the Administration for the assignment to that vehicle of a special, personalized registration number.~~

~~(2) This section applies only as to:~~

- ~~(i) A Class A (passenger) vehicle;~~
- ~~(ii) A Class D (motorcycle) vehicle;~~
- ~~(iii) A Class E (truck) vehicle with a one ton or less manufacturer's rated capacity;~~
- ~~(iv) A Class G (nonfreight trailer) vehicle;~~
- ~~(v) A Class L (historic) vehicle;~~
- ~~(vi) A Class M (multipurpose) vehicle; or~~
- ~~(vii) A Class N (street rod) vehicle.~~

~~(b) In addition to the annual registration fee otherwise required by this title, the applicant shall pay an additional annual fee of [\$50] \$25, payable with the original and each renewal application for special registration under this section.~~

~~(c) (1) A special registration number assigned under this section may consist of any combination of not more than 7 letters and numerals.~~

~~(2) In its discretion, the Administration may refuse any combination of letters and numerals.~~

~~(d) The proceeds collected annually from the additional fees charged under this section shall be distributed to the Transportation Trust Fund.~~

~~Article — Public Safety~~

~~5-117.1.~~

~~(g) An applicant for a handgun qualification license shall submit to the Secretary:~~

~~(1) an application in the manner and format designated by the Secretary;~~

~~(2) [a nonrefundable application fee to cover the costs to administer the program of up to \$50;~~

~~(3)] (i) proof of satisfactory completion of:~~

~~1. a firearms safety training course approved by the Secretary; or~~

~~2. a course of instruction in competency and safety in the handling of firearms prescribed by the Department of Natural Resources under § 10-301.1 of the Natural Resources Article; or~~

~~(ii) a valid firearms instructor certification;~~

~~[(4)] (3) any other identifying information or documentation required by the Secretary; and~~

~~[(5)] (4) a statement made by the applicant under the penalty of perjury that the applicant is not prohibited under federal or State law from possessing a handgun.~~

~~(j) (1) The handgun qualification license may be renewed for successive periods of 10 years each if, at the time of an application for renewal, the applicant:]~~

~~(i)] possesses the qualifications for the issuance of the handgun qualification license]; and~~

~~(ii) submits a nonrefundable application fee to cover the costs to administer the program up to \$20].~~

~~(2) An applicant renewing a handgun qualification license under this subsection is not required to:~~

~~(i) complete the firearms safety training course required in subsection (d)(3) of this section; or~~

1 (ii) ~~submit to a State and national criminal history records check as~~
2 ~~required in subsection (f) of this section.~~

3 ~~SECTION 3. 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read~~
4 ~~as follows:~~

5 ~~Article — Agriculture~~

6 ~~11-204.7.~~

7 ~~The fees for registering each weight and measure used for commercial purposes~~
8 ~~under this subtitle are as follows:~~

9 (1) ~~Scales with a capacity of up to 100 pounds (maximum fee per business~~
10 ~~location: [~~\$375~~] ~~\$325~~)..... \$20~~
11 ~~[for each scale, plus \$50 for each business location];~~

12 (2) ~~Scales with a capacity of more than 100 pounds, up to 2,000 pounds~~
13 ~~[\$60] ~~\$50~~;~~

14 (3) ~~Scales with a capacity of more than 2,000 pounds..... [~~\$100~~] ~~\$75~~;~~

15 (4) ~~Belt conveyer scales..... \$300;~~

16 (5) ~~Railroad track scales..... \$300;~~

17 (6) ~~Vehicle scales..... [~~\$250~~] ~~\$225~~;~~

18 (7) ~~Grain moisture meter..... \$100;~~

19 (8) ~~Retail motor fuel dispenser meter of under 20 gallons per minute~~
20 ~~(MAXIMUM FEE PER BUSINESS LOCATION: ~~\$375~~)..... [~~\$12.50~~] ~~\$15~~~~
21 ~~[for each meter, plus \$50 for each business location];~~

22 (9) ~~Retail motor fuel dispenser meter of 20 gallons per minute or~~
23 ~~more..... [~~\$45~~] ~~\$35~~;~~

24 (10) ~~Bulk petroleum fuel meter of 20 gallons per minute, up to 150 gallons~~
25 ~~per minute..... \$50;~~

26 (11) ~~Bulk petroleum fuel meter of 150 gallons per minute or more..... \$85;~~

27 (12) ~~Liquefied petroleum gas meters..... \$75; and~~

~~(13) Point of sale system, as defined by the National Institute of Standards and Technology (NIST) Handbook 44, connected to a weighing or measuring device (per business location)..... \$100.~~

~~Article — Environment~~

~~5-203.1.~~

~~(b) (1) Except as provided under paragraphs (2) and (3) of this subsection, all applications for wetlands and waterways authorizations issued by the Department under §§ 5-503 and 5-906 of this title and §§ 16-202, 16-302, and 16-307 of this article or wetlands licenses issued by the Board of Public Works under § 16-202 of this article shall be accompanied by an application fee as follows:~~

~~(i) For an application for a minor project or general permit..... [\$750] \$500;~~

~~(ii) For an application for a minor modification \$250;~~

~~(iii) For an application for a major project with a proposed permanent impact of:~~

~~1. Less than 1/4 acre \$1,500;~~

~~2. At least 1/4 acre, but less than 1/2 acre \$3,000;~~

~~3. At least 1/2 acre, but less than 3/4 acre \$4,500;~~

~~4. At least 3/4 acre, but less than 1 acre \$6,000; and~~

~~5. 1 acre or more.....the impact area in acres multiplied by \$7,500; and~~

~~(iv) For an application for a major modification \$1,500.~~

~~Article — Natural Resources~~

~~4-604.~~

~~(a) This section provides a fund to pay the expense of protecting and managing game and freshwater fish and preventing unauthorized persons from fishing or attempting to fish for any game and freshwater fish without first procuring an angler's license.~~

~~(f) (1) The following annual license fees shall apply:~~

~~(i) Resident..... [\$20.50] \$10.50~~

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

3 (iii) ~~Resident and nonresident blind persons No fee~~

4 (iv) ~~Complimentary license No fee~~

5 (2) ~~For a nonresident:~~

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

7 1. ~~[\$30.50] \$20.50; or~~

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

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

12 1. ~~\$7.50; or~~

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

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

18 1. ~~\$5; or~~

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

22 ~~4-745.~~

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

29 (2) ~~The license may be obtained from the Department or from any~~
30 ~~authorized agent of the Department. The following annual license fees shall apply:~~

31 (i) ~~Resident [\$15] \$9~~

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

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

5 (iv) ~~Nonresident.....~~ ~~[\$22.50] \$14~~

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

7 (vi) ~~Complimentary license under subsection (c) of this section~~ ~~No fee~~

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

11 (4) ~~An applicant for a license issued under this section shall provide all the~~
 12 ~~information requested by the Department on forms issued by the Department.~~

13 (d) (1) ~~The Department may provide by regulation for issuance of a special~~
 14 ~~charter boat license that shall be effective for not more than 1 year and shall expire on~~
 15 ~~August 31 and that would be valid for all individuals on a charter boat operated by a~~
 16 ~~licensed fishing guide in tidal waters of the State. The fee shall be:~~

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

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

19 (2) (i) ~~The Department may provide by regulation for issuance of an~~
 20 ~~annual special Chesapeake Bay and coastal sport fishing license, which when permanently~~
 21 ~~affixed to a boat registered in any state shall authorize any person on the boat to fish for~~
 22 ~~finfish in the Chesapeake Bay or in its tributaries up to tidal boundaries or in State waters~~
 23 ~~of the Atlantic Ocean and the Atlantic coastal bays and their tributaries, except that such~~
 24 ~~a license may not be used on a boat that has been hired to take such persons fishing.~~

25 (ii) ~~The annual fee for this special license shall be~~ ~~[\$50] \$40.~~

26 (iii) ~~If a boat owner purchases the special license under this~~
 27 ~~paragraph, the boat owner may fish anywhere in the Chesapeake Bay and its tributaries~~
 28 ~~or the State waters of the Atlantic Ocean and the Atlantic coastal bays and their~~
 29 ~~tributaries, whether the boat owner is fishing in the owner's boat, in another person's boat,~~
 30 ~~on land, or elsewhere. The Department shall issue a complimentary Chesapeake Bay and~~
 31 ~~coastal sport fishing license to the boat owner who purchases a special license under this~~
 32 ~~paragraph. If a boat to which the special license is affixed has more than one owner, then~~
 33 ~~only the individual applicant who signs the application for the special license shall be~~

1 ~~entitled to a complimentary Chesapeake Bay and coastal sport fishing license under this~~
2 ~~paragraph.~~

3 ~~(3) (i) An individual shall register with the Department before fishing~~
4 ~~in any of the following areas that do not require a Chesapeake Bay and coastal sport fishing~~
5 ~~license:~~

6 ~~1. A free fishing area established under § 4-214(b)(1) of this~~
7 ~~title with hook and line;~~

8 ~~2. On private real property bordering on tidal water as an~~
9 ~~owner or tenant of the property, or a spouse or an immediate family member who resides~~
10 ~~on the property with the owner or tenant; and~~

11 ~~3. On a boat licensed under paragraph (2) of this subsection.~~

12 ~~(ii) There is no fee for registration under this paragraph.~~

13 ~~(iii) An individual required to register under this paragraph shall~~
14 ~~provide all the information requested by the Department on forms issued by the~~
15 ~~Department.~~

16 ~~(4) (i) 1. The Department may provide by regulation for the~~
17 ~~issuance of a special commercial fishing pier license that is valid for all individuals fishing~~
18 ~~from the pier in tidal waters of the State.~~

19 ~~2. The annual fee for the special commercial fishing pier~~
20 ~~license shall be \$290.~~

21 ~~(ii) Individuals fishing from a licensed commercial fishing pier are~~
22 ~~exempt from purchasing a Chesapeake Bay and coastal sport fishing license.~~

23 ~~(iii) 1. The owner or operator of a licensed commercial fishing~~
24 ~~pier shall maintain a log of the contact information of the persons fishing from that~~
25 ~~structure each day.~~

26 ~~2. The logs required under subparagraph 1 of this~~
27 ~~subparagraph must be submitted electronically as prescribed or approved by the~~
28 ~~Department.~~

29 ~~SECTION 4. 3. AND BE IT FURTHER ENACTED, That Section 3 2 of this Act shall~~
30 ~~take effect July 1, 2017.~~

31 ~~SECTION 5. 4. 2. AND BE IT FURTHER ENACTED, That, except as provided in~~
32 ~~Section 4 3 of this Act, this Act shall take effect July 1, 2016.~~