
By: **Delegate Edwards**
Introduced and read first time: February 11, 2000
Assigned to: Environmental Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 14, 2000

CHAPTER 414

1 AN ACT concerning

2 **Angler's Licenses - Nontidal Waters - Nonresident License Fees**

3 FOR the purpose of modifying the fees for certain nonresident fishing licenses to
4 provide that the fee shall be either a specified amount or the fee charged to a
5 Maryland resident for a similar license by the nonresident's home state,
6 whichever is greater; limiting how certain revenues may be used; requiring the
7 Department of Natural Resources to report annually in a certain manner on
8 certain information; and generally relating to certain nonresident fishing
9 licenses.

10 BY repealing and reenacting, with amendments,
11 Article - Natural Resources
12 Section 4-604
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 1999 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Natural Resources**

18 4-604.

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

1 (b) (1) In this section, "resident" means a person who resides in this State on
2 the date he applies for a license.

3 (2) "Resident" includes a member of the armed forces of the United
4 States who is on active duty and stationed officially in this State.

5 (c) Any person 16 years old or older shall secure an angler's license to fish in
6 the nontidal waters of the State. An angler's license entitles the holder to fish in the
7 nontidal waters of the State only during the open season.

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

9 (1) The owner or tenant of land bordering on nontidal water, his spouse
10 and children, or the spouse of any child who resides on the land with the owner or
11 tenant when he fishes in nontidal water adjoining his land;

12 (2) Any convalescent patient of a veterans' hospital hospitalized for a
13 service connected disability who fishes in nontidal waters if the patient secures a
14 permit issued by a special service officer of the American Red Cross under authority
15 granted by the Department;

16 (3) Any group of disabled or convalescent patients organized and under
17 the care and supervision of the American Red Cross, which upon the request of the
18 American Red Cross, is authorized by the Department to fish for any recreational
19 purpose in the nontidal waters;

20 (4) Any resident serving in the armed forces of the United States, while
21 on leave in the State, during his leave period, if, while angling, he possesses a copy of
22 his official leave orders;

23 (5) Any patient who is under treatment by a State-approved mental
24 health facility, and any individual who attends or resides in a State-approved
25 retardation facility, provided the administrator of the facility certifies that the patient
26 or individual is engaged in an approved therapeutic program which would involve a
27 fishing activity;

28 (6) A person who fishes in nontidal waters of the State on free fishing
29 days designated by the Secretary; or

30 (7) A person holding a current resident consolidated senior sport fishing
31 license issued under § 4-216 of this title.

32 (e) A person may apply for an angler's license to any person designated by the
33 Department. The application shall be on a form the Department prepares and
34 supplies. The applicant shall fill out, sign and submit the application to the person
35 designated to issue an angler's license. A person may apply by mail.

36 (f) (1) The application shall contain the applicant's name, age, height, and
37 place of residence.

1 (2) A person may not use an assumed name or an address other than the
2 person's legal place of residence or make any false statement to obtain an angler's
3 license.

4 (3) Before an angler's license may be issued, the applicant for the license
5 shall sign a statement which says:

6 "I understand that this license does not of itself permit me to fish on private
7 property, and if I do so without permission of the owner I may be subject to a fine."

8 (g) (1) The following annual license fees shall apply:

9 [(1)] (I)Resident \$10

10 [(2)] (II) [Short] SUBJECT TO PARAGRAPH (2)(II) OF THIS SUBSECTION,
11 SHORT term license valid for 5 consecutive days from date of issuance[\$7.00]\$7

12 [(3)] Nonresident \$20]

13 [(4)] (III)..... Resident and nonresident blind persons No fee

14 [(5)] (IV).....Complimentary license No fee

15 ~~(2) (4) THE ANNUAL FISHING FEE FOR A NONRESIDENT IS \$20 OR A~~
16 ~~FEE EQUAL TO THE FEE CHARGED A MARYLAND RESIDENT BY THE NONRESIDENT'S~~
17 ~~HOME STATE FOR A SIMILAR LICENSE, WHICHEVER IS GREATER.~~

18 ~~(II) THE FEE FOR A NONRESIDENT SHORT TERM LICENSE VALID~~
19 ~~FOR 5 CONSECUTIVE DAYS FROM THE DATE OF ISSUANCE IS \$7 OR A FEE EQUAL TO~~
20 ~~THE FEE CHARGED A MARYLAND RESIDENT BY THE NONRESIDENT'S HOME STATE~~
21 ~~FOR A SIMILAR LICENSE, WHICHEVER IS GREATER.~~

22 (2) FOR A NONRESIDENT:

23 (I) THE FEE FOR AN ANNUAL ANGLER'S LICENSE IS THE GREATER

24 OF:

25 1. \$20; OR

26 2. A FEE EQUAL TO THE FEE CHARGED A MARYLAND
27 RESIDENT BY THE NONRESIDENT'S HOME STATE FOR A SIMILAR LICENSE; AND

28 (II) THE FEE FOR A SHORT TERM LICENSE VALID FOR 5
29 CONSECUTIVE DAYS FROM THE DATE OF ISSUANCE IS THE GREATER OF:

30 1. \$7; OR

31 2. A FEE EQUAL TO THE FEE CHARGED A MARYLAND
32 RESIDENT BY THE NONRESIDENT'S HOME STATE FOR A LICENSE THAT PERMITS AN
33 EQUAL NUMBER OF DAYS OF FISHING OR THE NEXT HIGHER NUMBER OF DAYS AS
34 PERMITTED BY THE MARYLAND LICENSE.

1 (3) (I) ALL FEES COLLECTED BY THE DEPARTMENT UNDER THIS
2 SECTION MAY ONLY BE USED IN ACCORDANCE WITH § 4-208 OF THIS TITLE.

3 (II) THE DEPARTMENT SHALL PUBLICLY REPORT ANNUALLY THE
4 AMOUNTS COLLECTED AND THE EXPENDITURES UNDER THIS SECTION.

5 (h) A person designated to sell an angler's license shall issue the license and
6 collect the fee prescribed in subsection (g) of this section. The Department shall
7 furnish the licenses to the designated persons. An angler's license shall bear the
8 Secretary's facsimile signature and the counter-signature of the issuing person. The
9 person who issues the license shall fill out the name and address of the licensee on a
10 stub attached to the license blank and detach the stub. The stubs and money, collected
11 every month, shall be mailed to the Department on the first day of the succeeding
12 month. As compensation, the agent shall retain 50 cents for each license issued.

13 (i) Every angler's license shall expire on December 31 of each year following
14 the date of issuance.

15 (j) The licensee shall sign his name in ink on the license at the time of
16 purchase. The license may not be transferred to another person, nor used or
17 presented by any person other than the person to whom it was issued.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2000.