
By: **Delegates Redmer, Boutin, Klausmeier, Mohorovic, and Ports**

Introduced and read first time: February 9, 2001

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 2001

CHAPTER 514

1 AN ACT concerning

2 **Natural Resources - Angler's License Requirements - Exemptions**

3 FOR the purpose of repealing a provision of law that requires a certain certification
4 by the administrator of certain State-approved facilities as a condition for a
5 certain exemption for fishing in the waters of the State without an angler's
6 license; providing for an exemption from provisions of law requiring an angler's
7 license for certain persons under certain circumstances; making stylistic
8 changes; and generally relating to exemptions to provisions of law that require
9 an angler's license to fish in the waters of the State.

10 BY repealing and reenacting, with amendments,
11 Article - Natural Resources
12 Section 4-604
13 Annotated Code of Maryland
14 (2000 Replacement Volume)

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
26 patient or individual is engaged in an approved therapeutic program which would
27 involve a fishing activity];

28 (6) A CAREGIVER, FAMILY MEMBER, OR DESIGNEE OF A MENTAL
29 HEALTH CARE FACILITY OR PRIVATE GROUP HOME OF A PATIENT WHO IS UNDER
30 TREATMENT BY A STATE-APPROVED MENTAL HEALTH FACILITY, PROVIDED THAT:

31 (I) THE ADMINISTRATOR OF THE MENTAL HEALTH CARE FACILITY,
32 OR TREATING PHYSICIAN OR PSYCHOLOGIST PROVIDES THE DEPARTMENT WITH A
33 LETTER STATING THAT THE CAREGIVER OR FAMILY MEMBER IS THE PRIMARY
34 CARETAKER OF THE PATIENT; OR

35 ~~(II) THE NURSE, NURSING ASSISTANT, PHYSICIAN, PHYSICIAN~~
36 ~~ASSISTANT, PSYCHOLOGIST, OR THE INDIVIDUAL WORKING UNDER THE DIRECT~~
37 ~~SUPERVISION OF THE PSYCHOLOGIST PROVIDES A COPY OF HIS OR HER~~
38 ~~PROFESSIONAL LICENSE OR CERTIFICATION;~~

1 (II) THE INDIVIDUAL ACCOMPANYING THE PATIENT CARRIES A
2 COPY OF THE LETTER DESCRIBED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH,
3 OR A PROFESSIONAL LICENSE OR CERTIFICATE OF A HEALTH CARE PROFESSIONAL
4 INVOLVED IN THE CARE OF THE PATIENT;

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

7 [(7)] (8) A person holding a current resident consolidated senior sport
8 fishing license issued under § 4-216 of this title.

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

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

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

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

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

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

23 (i) Resident\$10

24 (ii) Subject to paragraph (2)(ii) of this subsection, [short term]
25 SHORT-TERM license valid for 5 consecutive days from date of issuance\$7

26 (iii) Resident and nonresident blind persons.....No fee

27 (iv) Complimentary licenseNo fee

28 (2) For a nonresident:

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

30 1. \$20; or

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

33 (ii) The fee for a [short term] SHORT-TERM license valid for 5
34 consecutive days from the date of issuance is the greater of:

