
By: **Delegate Edwards**

Introduced and read first time: February 11, 2000

Assigned to: Environmental Matters

A BILL ENTITLED

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.

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

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

14 **Article - Natural Resources**

15 4-604.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 [(3)] Nonresident \$20]

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

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

7 (2) (I) THE ANNUAL FISHING FEE FOR A NONRESIDENT IS \$20 OR A
8 FEE EQUAL TO THE FEE CHARGED A MARYLAND RESIDENT BY THE NONRESIDENT'S
9 HOME STATE FOR A SIMILAR LICENSE, WHICHEVER IS GREATER.

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

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

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

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

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