
By: **Delegates Redmer, Boutin, Klausmeier, Mohorovic, and Ports**
Introduced and read first time: February 9, 2001
Assigned to: Environmental Matters

A BILL ENTITLED

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.

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

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

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

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

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

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

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

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

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

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

27 (I) THE ADMINISTRATOR OF THE MENTAL HEALTH CARE FACILITY,
28 OR TREATING PHYSICIAN OR PSYCHOLOGIST PROVIDES THE DEPARTMENT WITH A
29 LETTER STATING THAT THE CAREGIVER OR FAMILY MEMBER IS THE PRIMARY
30 CARETAKER OF THE PATIENT; OR

31 (II) THE NURSE, NURSING ASSISTANT, PHYSICIAN, PHYSICIAN
32 ASSISTANT, PSYCHOLOGIST, OR THE INDIVIDUAL WORKING UNDER THE DIRECT
33 SUPERVISION OF THE PSYCHOLOGIST PROVIDES A COPY OF HIS OR HER
34 PROFESSIONAL LICENSE OR CERTIFICATION;

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

37 [(7)] (8) A person holding a current resident consolidated senior sport
38 fishing license issued under § 4-216 of this title.

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

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

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

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

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

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

15 (i) Resident..... \$10

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

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

19 (iv) Complimentary license.....No fee

20 (2) For a nonresident:

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

22 1. \$20; or

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

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

27 1. \$7; or

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

31 (3) (i) All fees collected by the Department under this section may
32 only be used in accordance with § 4-208 of this title.

1 (ii) The Department shall publicly report annually the amounts
2 collected and the expenditures under this section.

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

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

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

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2001.