

SENATE BILL 813

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2002 Regular Session
2lr2824
CF 2lr2466

By: **Senator Astle**

Introduced and read first time: February 13, 2002

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 20, 2002

Committee Report: Favorable

Senate action: Adopted

Read second time: March 18, 2002

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources - Angler's Licenses**

3 FOR the purpose of repealing the requirement that an application for an angler's
4 license contain the applicant's age and height; altering certain angler's license
5 fees; establishing a certain nonresident short-term license and establishing a
6 certain fee for the license; altering the compensation an agent who sells angler's
7 licenses may retain; making certain technical and administrative changes; and
8 generally relating to angler's licenses.

9 BY repealing and reenacting, with amendments,
10 Article - Natural Resources
11 Section 4-604
12 Annotated Code of Maryland
13 (2000 Replacement Volume and 2001 Supplement)

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

16 **Article - Natural Resources**

17 4-604.

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

26 (6) A caregiver, family member, or designee of a mental health care
27 facility or private group home of a patient who is under treatment by a
28 State-approved mental health facility, provided that:

29 (i) The administrator of the mental health care facility, or treating
30 physician or psychologist provides the Department with a letter stating that the
31 caregiver or family member is the primary caretaker of the patient; or

32 (ii) The individual accompanying the patient carries a copy of the
33 letter described under subparagraph (i) of this paragraph, or a professional license or
34 certificate of a health care professional involved in the care of the patient;

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

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

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

7 (f) (1) The application shall contain the applicant's name[, age, height,]
8 and place of residence.

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

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

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

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

17 (i) Resident..... [\$10] \$10.50

18 (ii) Subject to paragraph (2)(ii) of this subsection, short-term
19 license valid for 5 consecutive days from date of issuance..... [\$7] \$7.50

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

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

22 (2) For a nonresident:

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

24 1. [\$20] \$20.50; or

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

27 (ii) The fee for a short-term license valid for 5 consecutive days
28 from the date of issuance is the greater of:

29 1. [\$7] \$7.50; or

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

1 (III) THE FEE FOR A SHORT-TERM LICENSE VALID FOR 3
2 CONSECUTIVE DAYS FROM THE DATE OF ISSUANCE IS THE GREATER OF:

3 1. \$5; OR

4 2. A FEE EQUAL TO THE FEE CHARGED A MARYLAND
5 RESIDENT BY THE NONRESIDENT'S HOME STATE FOR A LICENSE THAT PERMITS AN
6 EQUAL NUMBER OF DAYS OF FISHING OR THE NEXT HIGHER NUMBER OF DAYS AS
7 PERMITTED BY THE MARYLAND LICENSE.

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

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

12 (h) A person designated to sell an angler's license shall issue the license and
13 collect the fee prescribed in subsection (g) of this section. The Department shall
14 furnish the licenses to the designated persons. An angler's license shall bear the
15 Secretary's facsimile signature and the counter-signature of the issuing person. The
16 person who issues the license shall [fill out] ENTER the name and address of the
17 licensee [on a stub attached to the license blank and detach the stub]. The [stubs
18 and] COLLECTED money[, collected every month,] shall be [mailed] TRANSMITTED
19 to the Department [on the first day of the succeeding month] AS PRESCRIBED BY THE
20 DEPARTMENT. As compensation, the agent shall retain [50 cents] \$1 for each license
21 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 June 1, 2002.