

HOUSE BILL 229

M2

8lr0014

By: **Chair, Environmental Matters Committee (By Request - Departmental - Natural Resources)**

Introduced and read first time: January 23, 2008

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 4, 2008

CHAPTER _____

1 AN ACT concerning

2 **Fishing - Reciprocal Angler's Licenses**

3 FOR the purpose of clarifying the circumstances under which certain privileges of
4 certain angler's licenses issued by certain other states apply; and generally
5 relating to reciprocal angler's privileges.

6 BY repealing and reenacting, with amendments,
7 Article - Natural Resources
8 Section 4-606
9 Annotated Code of Maryland
10 (2005 Replacement Volume and 2007 Supplement)

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

13 **Article - Natural Resources**

14 4-606.

15 (a) (1) A [person] **RESIDENT OF VIRGINIA** possessing a valid Virginia
16 [or West Virginia] fishing license issued in that [person's] **RESIDENT'S** name may fish
17 in nontidal waters of the Potomac River **OPPOSITE THE SHORE OF VIRGINIA**
18 without obtaining a Maryland angler's license.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2) This ~~subsection~~ **PARAGRAPH** is only effective if Virginia [or West
2 Virginia] enters into and maintains A reciprocal [agreements] **AGREEMENT** with the
3 Department, approved by the Secretary, which [allow] **ALLOWS** a person possessing a
4 valid Maryland angler's license issued in that person's name to fish from the Virginia
5 [or West Virginia] banks ~~OPPOSITE THE SHORE OF MARYLAND~~ of the Potomac
6 River **OPPOSITE THE SHORE OF MARYLAND** without acquiring a Virginia [or West
7 Virginia] fishing license.

8 ~~(2)~~ **(B)(1) A RESIDENT OF WEST VIRGINIA POSSESSING A VALID**
9 **WEST VIRGINIA FISHING LICENSE ISSUED IN THAT RESIDENT'S NAME MAY FISH**
10 **IN NONTIDAL WATERS OF THE POTOMAC RIVER OPPOSITE THE SHORE OF WEST**
11 **VIRGINIA, INCLUDING THE NORTH BRANCH OF THE POTOMAC RIVER AND THE**
12 **JENNINGS RANDOLPH RESERVOIR, ~~OPPOSITE THE SHORE OF WEST VIRGINIA~~**
13 **WITHOUT OBTAINING A MARYLAND ANGLER'S LICENSE.**

14 (2) ~~THIS PARAGRAPH SUBSECTION~~ **IS ONLY EFFECTIVE IF WEST**
15 **VIRGINIA ENTERS INTO AND MAINTAINS A RECIPROCAL AGREEMENT WITH THE**
16 **DEPARTMENT, APPROVED BY THE SECRETARY, WHICH ALLOWS A PERSON**
17 **POSSESSING A VALID MARYLAND ANGLER'S LICENSE ISSUED IN THAT PERSON'S**
18 **NAME TO FISH FROM THE WEST VIRGINIA BANKS OF THE POTOMAC RIVER**
19 **OPPOSITE THE SHORE OF MARYLAND, INCLUDING THE NORTH BRANCH OF THE**
20 **POTOMAC RIVER AND THE JENNINGS RANDOLPH RESERVOIR, WITHOUT**
21 **ACQUIRING A WEST VIRGINIA FISHING LICENSE.**

22 ~~(b)~~ **(C)(1) A ~~person~~ RESIDENT OF PENNSYLVANIA** possessing a valid
23 Pennsylvania fishing license issued in that ~~person's~~ **RESIDENT'S** name may fish in the
24 waters of the Conowingo and Youghiogheny Reservoirs without obtaining a Maryland
25 angler's license.

26 (2) This subsection is effective only if Pennsylvania first enters into and
27 maintains a reciprocal agreement with the Department, approved by the Secretary,
28 which allows a person possessing a valid Maryland angler's license issued in that
29 person's name to fish on the portion of the Conowingo and Youghiogheny Reservoirs
30 lying within the boundaries of Pennsylvania without acquiring a Pennsylvania fishing
31 license.

32 ~~(e)~~ **(D) (1) [The reciprocal fishing privileges granted to persons holding valid**
33 **fishing licenses from Virginia, West Virginia, and Pennsylvania by this section are**
34 **valid only for the main stem of the Potomac River and Conowingo and Youghiogheny**
35 **Reservoirs. A person may not fish in any other Maryland water, including the**
36 **tributaries of the Potomac River and Conowingo and Youghiogheny Reservoirs,**
37 **without obtaining an appropriate Maryland fishing license.] THE RECIPROCAL**
38 **FISHING PRIVILEGES GRANTED BY THIS SECTION TO A PENNSYLVANIA**
39 **RESIDENT HOLDING A VALID FISHING LICENSE FROM PENNSYLVANIA ARE**
40 **VALID ONLY FOR THE CONOWINGO AND YOUGHIOGHENY RESERVOIRS.**

1 **(2) THE RECIPROCAL FISHING PRIVILEGES GRANTED BY THIS**
 2 **SECTION TO A WEST VIRGINIA RESIDENT HOLDING A VALID FISHING LICENSE**
 3 **FROM WEST VIRGINIA ARE VALID ONLY FOR THE MAIN STEM OF THE POTOMAC**
 4 **RIVER, THE NORTH BRANCH OF THE POTOMAC RIVER, AND THE JENNINGS**
 5 **RANDOLPH RESERVOIR OPPOSITE THE SHORE OF WEST VIRGINIA.**

6 **(3) THE RECIPROCAL FISHING PRIVILEGES GRANTED BY THIS**
 7 **SECTION TO A VIRGINIA RESIDENT HOLDING A VALID FISHING LICENSE FROM**
 8 **VIRGINIA ARE VALID ONLY FOR THE MAIN STEM OF THE POTOMAC RIVER**
 9 **OPPOSITE THE SHORE OF VIRGINIA.**

10 ~~(d)~~ **(E)** If a state fails to maintain the reciprocal fishing privileges in accordance
 11 with an approved agreement, the Secretary may revoke the reciprocal fishing
 12 privileges accorded to those holding licenses issued by that state by publishing a notice
 13 of revocation in the Maryland Register and notifying the head of the appropriate
 14 licensing agency for that state.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 16 June 1, 2008.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.