

IN ITS MOUTH.

REVISOR'S NOTE: This section is new language derived from Article 66C, section 112(r) of the Code.

4-602. RULES AND REGULATIONS AFFECTING FISH IN NONTIDAL WATER.

(A) AUTHORITY TO ADOPT RULES AND REGULATIONS. - WITH DUE REGARD FOR DISTRIBUTION, ABUNDANCE, ECONOMIC VALUE, AND BREEDING HABITS OF FISH IN NONTIDAL WATERS, THE SECRETARY MAY ADOPT RULES AND REGULATIONS TO EXTEND, RESTRICT, OR PROHIBIT CATCHING, POSSESSING, PURCHASING, TRANSPORTING, OR EXPORTING FISH FROM NONTIDAL WATERS.

(B) PETITION BY CERTAIN RESIDENTS PROPOSING RULES AND REGULATIONS; PROCEDURE AND NOTICE. - UPON WRITTEN PETITION, AT LEAST 50 STATE RESIDENTS WHO HOLD VALID ANGLER'S LICENSES MAY PROPOSE ANY RULE OR REGULATION PERTAINING TO FISH IN NONTIDAL WATERS TO THE SECRETARY FOR ADOPTION. THE FULL TEXT OF THE PROPOSED RULE OR REGULATION SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN EVERY COUNTY AFFECTED BY THE RULE OR REGULATION AT LEAST TEN DAYS PRIOR TO ITS CONSIDERATION. THE PUBLISHED NOTICE SHALL STATE THE DATE, TIME, AND PLACE THE PROPOSED RULE OR REGULATION IS TO BE CONSIDERED, AND THAT ANY INTERESTED PERSON MAY BE HEARD ON THE PROPOSAL. IF THE SECRETARY ADOPTS THE PROPOSED RULE OR REGULATION OR ANY PART OF IT HE SHALL GIVE NOTICE OF THE EFFECTIVE DATE OF THE RULE OR REGULATION IN THE SAME MANNER AS IT WAS PROPOSED.

(C) EMERGENCY SITUATION. - IN CASE OF FIRE HAZARD OR SIMILAR EMERGENCY, THE SECRETARY MAY ADOPT ANY RULE OR REGULATION PURSUANT TO SUBSECTION (A). THE RULE OR REGULATION BECOMES EFFECTIVE IMMEDIATELY UPON PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION IN EVERY COUNTY AFFECTED BY THE RULE OR REGULATION.

(D) MAILING, RECORDING, AND POSTING RULES AND REGULATIONS. - THE SECRETARY SHALL MAIL A COPY OF THE ADOPTED RULES AND REGULATIONS TO THE CLERK OF THE CIRCUIT COURT OF EVERY COUNTY OR THE COURT OF COMMON PLEAS FOR BALTIMORE CITY IF AFFECTED BY THE RULE OR REGULATION. THE COUNTY CLERK SHALL RECORD AND POST IN FRONT OF THE COUNTY COURT HOUSE EVERY ADOPTED RULE OR REGULATION.