

(E) PENALTY. - IN ADDITION TO ANY OTHER PENALTY PROVIDED IN THIS TITLE, ANY PERSON CONVICTED OF VIOLATING ANY RULE OR REGULATION THE DEPARTMENT ADOPTS, SHALL BE FINED \$5 FOR EACH FISH ILLEGALLY CAUGHT. IF A PERSON IS CONVICTED A SECOND OR SUBSEQUENT TIME WITHIN THE SAME 12 MONTH PERIOD FOR A VIOLATION OF THE RULES AND REGULATIONS THE DEPARTMENT ADOPTS, HE SHALL HAVE HIS ANGLER'S LICENSE SUSPENDED FOR A PERIOD OF 12 MONTHS FROM THE DATE OF THE SECOND OR SUBSEQUENT CONVICTION.

REVISOR'S NOTE: This section is new language derived from Article 66C, section 115 of the Code as amended by Chapter 465, Acts of 1972.

Section 115 pertains both to fish in nontidal water and wildlife. Only the language relevant to the former is included in this proposed section. The restrictive language of the last sentence in section 115(a) dealing with sections 207 and 210 is proposed for deletion as unnecessary since by rule and regulation creel limits and open seasons are established.

Sections 132 and 133 also referred to in the last text of section 155(a) are confined to wildlife.

Proposed subsection (c) changes the petition procedure of section 115(b) in that it requires 50 residents who only hold valid angler's licenses. The provision that some petitioners must be farmers or hold a valid hunter's license is omitted because it is believed those qualifications logically would apply only when rules and regulations concerning game and wildlife not fish in nontidal waters are proposed.

A provision is added to subsection (d) indicating which court in Baltimore City the rules and regulations are filed. This complies with the Department's practice. The penalty provisions of section 115(e) are not repeated in full for it is largely covered by the uniform provision in subtitle 12.

The nomenclatural changes of Secretary for