

219(a). Subsection (b) presently appears as section 219(f), as amended by Chapter 567, H.B. 781, Acts of 1973. It omits the provision which exempts the requirement for certain landowners on Deep Creek Lake in Garrett County in light of Bruce v. Director 261 Md. 585 (1971). Such a criterion based upon wealth appears to violate the same equal protection guarantees the court upheld in Bruce.

Also, in terms of the definition of resident in subsection (b) there appears no uniformity throughout the present code provisions dealing with fish and fisheries. The residency requirement here differs for example from the 12 month requirement as to eligibility for a license to operate nets and seines for commercial fishing, or a tonging license. As to a crabbing license, the present statute only states the licensee shall be a resident without indicating the period of time one must reside in the State to be considered as such. The last sentence of the subsection is proposed for deletion because it duplicates proposed section 4-101(j) of this title.

Subsections (c), (d), (e), (f), and (g) are new language. The reference to persons age 65 paying a reduced license fee is placed in subsection (g) with other license fee provisions. The exception provisions of subsection (d) are derived from the last sentence of section 219(c), section 219(h), and section 219A. They are consolidated in one place for clarity. As to the exception derived from section 219(c) the word spouse is added to refer to spouse of landowner or tenant. As the statute presently reads, only the children and spouses of children of the owner or tenant are included thereby excluding the spouse of the owner or tenant. This appears inequitable if the exception is to be retained. The portion of the exception of section 219A dealing with stamps is not included in the last exception of subsection (c). Stamps in section 219A refers to trout stamps. Therefore, it is included in this title in