

1 HB356  
2 150257-2  
3 By Representatives Jones and Fincher  
4 RFD: Agriculture and Forestry  
5 First Read: 23-JAN-14

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: This bill relates to fishing licenses issued  
9 by the Department of Conservation and Natural  
10 Resources. The bill would provide for a resident  
11 daily state lake fishing license, a nonresident  
12 state lake fishing license, a nonresident family  
13 three-day fishing license, a disabled three-day  
14 fishing event license, and would further provide  
15 for the public fishing pier and annual saltwater  
16 pier fishing licenses.

17  
18 A BILL  
19 TO BE ENTITLED  
20 AN ACT  
21

22 Relating to game and fish; to provide for a resident  
23 daily state lake fishing license, a nonresident state lake  
24 fishing license, a nonresident family three-day fishing  
25 license; a disabled three-day fishing event license, and to  
26 amend Section 9-11-56.3, Code of Alabama 1975, to further

1 provide for the public fishing pier and annual saltwater pier  
2 fishing licenses.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Effective with the license year beginning  
5 September 1, 2014, a person otherwise meeting the requirements  
6 of Section 9-11-53, Code of Alabama 1975, for the resident  
7 annual fishing license, who fishes the state public fishing  
8 lakes owned and operated by the Division of Wildlife and  
9 Freshwater Fisheries may purchase an alternative license to  
10 the annual freshwater fishing license to be known as the  
11 resident daily state lake fishing license for a fee of five  
12 dollars (\$5) plus the same issuance fee as provided for the  
13 resident annual fishing license, which fees shall be subject  
14 to adjustment as provided for in Section 9-11-68, Code of  
15 Alabama 1975, and which shall entitle the person to fish at  
16 state public fishing lakes, but shall not grant any other  
17 privileges of the annual fishing license or wildlife heritage  
18 license.

19 Section 2. Effective with the license year beginning  
20 September 1, 2014, a nonresident of any state who fishes the  
21 state public fishing lakes owned and operated by the Division  
22 of Wildlife and Freshwater Fisheries may purchase an  
23 alternative license to the nonresident freshwater fishing  
24 license to be known as the nonresident state lake fishing  
25 license for a fee of five dollars (\$5) per day or ten dollars  
26 (\$10) per license year, plus the same issuance fees, which

1 fees shall be subject to adjustment as provided for in Section  
2 9-11-68, Code of Alabama 1975.

3 Section 3. Effective with the license year beginning  
4 September 1, 2014, nonresidents of any state, in lieu of any  
5 otherwise required fishing licenses, may procure a nonresident  
6 three-day family fishing license, for a period of three  
7 consecutive days or less by paying the same license fee and  
8 issuance fee as the nonresident seven-day trip fishing license  
9 provided for in Section 9-11-56, Code of Alabama 1975, which  
10 license will authorize the holder thereof and up to four other  
11 members of his or her immediate family, comprised of his or  
12 her parent, spouse, children, and grandchildren, which names  
13 shall be designated on the license, to fish in any of the  
14 otherwise legally available fresh waters of this state during  
15 those hours occurring during the then current license year for  
16 a period not to exceed 72 consecutive hours from the beginning  
17 date and time, as selected and designated by the licensee to  
18 the issuing agent at the time of issuance.

19 Section 4. Effective with the license year beginning  
20 September 1, 2014, there shall be a disabled three-day fishing  
21 event license, for events sanctioned by the Commissioner of  
22 Conservation and Natural Resources. Except as otherwise  
23 provided herein for additional persons, the license shall  
24 permit up to 20 disabled residents or non-resident persons  
25 plus up to 20 resident and non-resident assistants, in such  
26 numbers as determined to be reasonably necessary by the  
27 Department of Conservation and Natural Resources, to purchase

1 the license as an alternative to any recreational fishing  
2 license otherwise applicable under Chapter 11 of Title 9, Code  
3 of Alabama 1975, which shall permit such persons, for a period  
4 not to exceed 72 consecutive hours, to engage in those same  
5 activities as the holders of the annual freshwater fishing  
6 license in Section 9-11-53, Code of Alabama 1975. The license  
7 fee shall be one hundred dollars (\$100). Notwithstanding the  
8 foregoing, any additional disabled persons over the 20-person  
9 limit shall be charged an additional five dollars (\$5) per  
10 person, which amount, subject to the approval of the  
11 Department of Conservation and Natural Resources, may include  
12 an additional assistant.

13 Section 5. Section 9-11-56.3, Code of Alabama 1975,  
14 is amended to read as follows:

15 "§9-11-56.3.

16 "(a) A person, firm, or corporation that operates a  
17 fishing pier open to the general public in the inside waters  
18 of the State of Alabama as defined by Rule 220-3-.04 of the  
19 Alabama Department of Conservation and Natural Resources, may  
20 purchase a public fishing pier license to be issued by the  
21 Marine Resources Division of the Department of Conservation  
22 and Natural Resources. The fee for a public fishing pier  
23 license shall be one thousand dollars (\$1,000) per year, which  
24 fee shall be subject to adjustment as provided for in Section  
25 9-11-69. Any law or regulation to the contrary  
26 notwithstanding, a resident of the State of Alabama may fish  
27 from a licensed public fishing pier in the inside waters of

1 the State of Alabama without purchasing a fishing license. A  
2 licensed public fishing pier shall be open to the general  
3 public. This section shall not be construed to prohibit the  
4 operator of a licensed public fishing pier from charging a fee  
5 for the use of the pier.

6 " (b) A person who has been a bona fide resident of  
7 this state for a period of not less than 90 days next  
8 preceding and who is age 16 through 64, may fish from piers  
9 open to the general public in the Gulf of Mexico or the inside  
10 waters of the State of Alabama as defined by Rule 220-3-.04 of  
11 the Alabama Department of Conservation and Natural Resources  
12 by angling with rod and reel or by use of any artificial bait,  
13 fly, ~~or lure, gig, cast net, bow, or crab trap that is not~~  
14 required to be licensed by Section 9-12-124, after purchasing  
15 an annual saltwater pier fishing license at a cost of five  
16 dollars (\$5), which fee shall be subject to adjustment as  
17 provided for in Section 9-11-69. A nonresident may fish from  
18 piers open to the general public in the Gulf of Mexico or the  
19 inside waters of the State of Alabama as defined by Rule  
20 220-3-.04 of the Alabama Department of Conservation and  
21 Natural Resources by angling with rod and reel or by use of  
22 any artificial bait, fly, ~~or lure, gig, cast net, bow, or crab~~  
23 trap that is not required to be licensed by Section 9-12-124,  
24 after purchasing an annual saltwater pier fishing license at a  
25 cost of ten dollars (\$10), which fee shall be subject to  
26 adjustment as provided for in Section 9-11-69. Alabama  
27 residents and nonresidents possessing a current saltwater

1 fishing license, residents and nonresidents under age 16, and  
2 residents age 65 or over are expressly exempt from the  
3 requirements of this subsection.

4 "(c) The licenses provided for in this section may  
5 be purchased from any judge of probate, license commissioner,  
6 revenue commissioner, or other officer authorized to issue  
7 licenses upon application on forms furnished by the Division  
8 of Marine Resources of the Department of Conservation and  
9 Natural Resources and payment of the required fee for the  
10 license plus a one dollar (\$1) issuance fee, which fee shall  
11 be subject to adjustment as provided for in Section 9-11-69.

12 "(d) The licenses provided for in this section shall  
13 be issued on an annual basis and shall expire on August 31 of  
14 each year.

15 "(e) Any revenue derived from the sale of these  
16 licenses shall be remitted to the Department of Conservation  
17 and Natural Resources on the first day of each month by the  
18 issuing officer and shall be deposited in the State Treasury  
19 to the credit of the Marine Resources Fund.

20 "(f) Any violation of this section shall be a Class  
21 C misdemeanor punishable as provided by law except that the  
22 minimum fine shall not be less than fifty dollars (\$50). In  
23 addition, the punishment for a violation of subsection (a) of  
24 this section shall include an additional mandatory fine of  
25 twice the amount of the license."

1                   Section 6. This act shall become effective on the  
2 first day of the third month following its passage and  
3 approval by the Governor, or its otherwise becoming law.