

raises certain constitutional questions as to the residential requirements for certain fish or game licenses. As revised, anyone who may lawfully hunt or fish in Worcester County may still hunt or fish on these lands. If the privilege is later extended under Bruce to nonresidents of the State, the section still will be viable. The final sentence has been transferred to section 9-401. The only other changes made are in style.

[[SUBTITLE 5. PENALTIES; FINES; SEVERABILITY.]]
SUBTITLE 5. PENALTIES AND FINES.

9-501. PENALTIES AND FINES.

(A) PENALTY FOR FIRST OFFENSE. - ANY PERSON WHO VIOLATES ANY PROVISION OF THIS TITLE IS GUILTY OF A MISDEMEANOR. UNLESS ANOTHER PENALTY IS SPECIFICALLY PROVIDED ELSEWHERE IN THIS TITLE, THE PERSON, UPON CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING \$500, OR IMPRISONMENT NOT EXCEEDING THREE MONTHS, OR BOTH, WITH COSTS IMPOSED IN THE DISCRETION OF THE COURT.

(B) PENALTY FOR SECOND OR SUBSEQUENT OFFENSE. - ANY PERSON FOUND GUILTY OF A SECOND OR SUBSEQUENT VIOLATION OF ANY PROVISION OF THIS TITLE, UNLESS ANOTHER PENALTY IS SPECIFICALLY PROVIDED ELSEWHERE IN THIS TITLE, IS SUBJECT TO A FINE NOT EXCEEDING \$1,000, OR IMPRISONMENT NOT EXCEEDING ONE YEAR, OR BOTH WITH COSTS IMPOSED IN THE DISCRETION OF THE COURT. FOR THE PURPOSE OF THIS SUBSECTION, A SECOND OR SUBSEQUENT VIOLATION IS ONE WHICH HAS OCCURRED WITHIN TWO YEARS OF ANY PRIOR VIOLATION OF THIS TITLE.

[[(C) VIOLATION OF RULE, REGULATION, OR RESTRICTION.]] (C) VIOLATION OF RULE OR REGULATION. - IN ADDITION TO ANY ADMINISTRATIVE PENALTY PROVIDED IN THIS TITLE, VIOLATION OF ANY RULE OR REGULATION, OR RESTRICTION PROMULGATED BY ANY UNIT WITHIN THE DEPARTMENT PURSUANT TO THE PROVISIONS OF THIS TITLE IS A MISDEMEANOR AND IS PUNISHABLE AS PROVIDED IN SUBSECTIONS (A) AND (B).

REVISOR'S NOTE: Subsections (a), (b) and (c) are new language and are patterned after the penalty provision, section 17-101, of Article 66 1/2 of the Code. The Commission decided generally to state only the maximum penalty for an offense covered under this uniform penalty provision. It believes that within this ceiling, the matter should