

(1970 Replacement Volume), title "Natural Resources," subtitle "Fish and Fisheries," subheading "Part 1. General Provisions," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

253.

The owner of any land bordering on any tidal waters of the tributaries of the Chesapeake Bay, except the waters of the Great Chop-tank River, lying in the State of Maryland, or anyone who is a tenant, renter or lessee of such owner, shall by virtue of such ownership or occupancy be first entitled to make a choice of the set or position to place nets or establish a haul seine fishery in front of the property of which he or she is the owner, tenant, renter or lessee of the riparian rights therein, for the purpose of catching fish for commercial use; provided that if such owner, tenant, renter or lessee of said riparian rights do not avail themselves of the privilege of locating the position where they desire to set their nets or haul seine each year within twenty days after receiving notice hereinafter provided from any other person who may desire to locate their nets or fishery in front of said riparian owner's property, then it shall be lawful for such person to locate or place their net or haul seine in front of said property; except that the notice to the owner or occupier shall not apply to the waters of Baltimore, Talbot, Caroline, Dorchester, Prince George's, St. Mary's and Charles counties, where the permission of the shore owner shall always be necessary, nor shall anything herein contained be construed to grant any rights to fishermen by reason of such notice to fish upon any of the waters, nearer than 500 yards opposite any shore used as a pleasure resort so as to interfere with bathing or boating on such shore, without permission of the shore owner. The notice provided for above shall be mailed to the owner of the shore, or to the tenant, renter or lessee of such shore property. If the name and address are unknown, then such notice shall be posted for twenty days on a board fastened to stake driven in the water directly in front of the property and at a distance not greater than 100 yards from shore. Nothing in this section shall be construed to permit any riparian owner or anyone acquiring the rights of a riparian owner to fish with nets or seine in any manner or at any time prohibited in this subtitle. Provided that the provisions of this section shall not apply to Anne Arundel, Calvert, Queen Anne's, Kent and Somerset counties. [The provisions of this section shall not apply to the waters of Holland Straits nor to the waters of Hooper Straits south of a line drawn from Crab Point to the southern end of lower Hooper's Island, nor to the waters of Fishing Bay south of a line drawn from the north shore of Farm Creek to Fishing Point, near Elliott's Island, in Dorchester County.]

SEC. 2. *And be it further enacted*, That this Act shall take effect July 1, 1971.

Approved May 17, 1971.

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CHAPTER 454

(Senate Bill 402)

AN ACT to repeal and re-enact, with amendments, Section 14-105 of Article 66½ of the Annotated Code of Maryland (1970 Replac-