

and as a result of the opinion stated by the Attorney General, I feel that I must veto this particular legislation.

Sincerely yours,

(s) J. MILLARD TAWES,

Governor.

JMT/S/db

### House Bill No. 834—Rock Fish

AN ACT to repeal and re-enact, with amendments, Section 293 of Article 66C of the Annotated Code of Maryland (1957 Edition), title "Natural Resources", sub-title "Fish and Fisheries", sub-heading, "Part 2. Tidal Waters", relating to rock fish caught with hook and line.

May 4, 1959.

Honorable Perry O. Wilkinson  
Speaker of the House of Delegates  
State House  
Annapolis, Maryland

Dear Mr. Speaker:

I have today vetoed House Bill 834. As is required by Article 2, Section 17 of the Maryland Constitution, I am returning this Bill to your body along with my reasons for vetoing same.

House Bill 834 as finally approved by the General Assembly, will legalize the catching of a rock fish, weighing fifteen pounds or more in any waters of the State provided they are taken by hook and line only, not for commercial purposes, and within a limit of not more than one fish per day per person. In other words, under the provisions of this Bill, a sports fisherman would be allowed to retain one oversized rock fish per day, if he were lucky enough to catch same.

Biologically, the present statute, which, since 1929, has prohibited the capture of such fish, is believed to be one of the most important factors entering into the management of this species. Undoubtedly the 1929 statute is responsible for the record high production of rock fish enjoyed in recent years.

The majority of the female rock fish do not reach sexual maturity until they are about five years of age, or when they weigh about four-and-a-half pounds. It is well established that the number of spawnable eggs produced by a female rock fish increase with age and size. A fifteen pound female will average about one-and-a-half million spawnable eggs during the spawning season, while a forty-eight pound rock fish has been found to produce five-and-a-half million eggs during one season. Contrary to much speculation, all biological evidence now indicates the eggs of a larger fish to be viable. Spawn of a twenty-seven pound rock fish have been hatched successfully.

Enforcement of House Bill 834 will be extremely difficult. By merely having present a hook and line, a commercial fisherman and his crew would be in an excellent position to contest the charge that any rock fish—fifteen pounds or more in his possession—was caught commercially. Furthermore, enforcement of the 'no-sale' provision in the Bill would be highly impractical. Even though such large fish