

WHEREAS, Because of an error in Section 1 of Chapter 588 of 1970, there is a doubt about whether Sections 296 and 297 of Article 66C were properly repealed; and

WHEREAS, It is desirable that these sections be again repealed in order that there be no doubt about the proper provisions of the laws relating to the operation of nets and seines; now, therefore,

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 296 and 297 of Article 66C of the Annotated Code of Maryland (1970 Replacement Volume), title "Natural Resources," subtitle "Fish and Fisheries," subheading "Part 2. Tidal Waters," be and they are hereby repealed, to read as follows:

【296.

Any person who establishes to the satisfaction of the Commission that he actually used a pound net, haul seine, gill net, or fyke or hoop net more than 40 yards in length for the taking of fin fish for commercial purposes, at any time during the calendar years 1940 and 1941, shall be entitled to file application with the Commission of Tidewater Fisheries prior to December 1st, 1941, and the Commission shall grant his application for a license to operate such, but only such nets as he actually operated at any time during such years.】

【297.

In addition to the licenses issued under the provisions of Section 296, the Commission shall issue additional licenses to applicants who fished for commercial purposes with the type of nets described in Section 296 prior to 1942 but who did not apply for a license prior to December 1, 1941, because they were employed in government service or an essential war industry; or if said applicant has had such a license in the past and did not apply for renewal because of some physical disability.

Immediately after June 1, 1947, the Commission shall advertise in at least one daily newspaper of general circulation throughout the State that applications will be accepted from such qualified applicants.

Applicants, together with positive proof that the applicant operated commercial fishing nets in 1940 or 1941 and subsequently entered government service or an essential war industry, must be submitted prior to September 1, 1947. In no case shall a license be issued unless the applicant can show that he will use the licensed nets within a reasonable time after issuance of said license. The applicant shall not be licensed to fish a greater number of nets than he actually fished during the last year in which he engaged in taking fish for commercial purposes. In no case shall the number of nets licensed by any licensee exceed the average number of nets or the average length of nets for which licenses were issued in 1942 in the particular class for which a license is sought.】

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

Approved April 29, 1971