

ADMINISTRATION OF ANY STATE FISH REFUGE IT CONTROLS OR OWNS.

REVISOR'S NOTE: This section is new language derived from Article 66C, section 193 of the Code.

4-408. DEPARTMENT MAY ERECT AND MAINTAIN HATCHERIES TO PROPAGATE [[FIN]] FISH.

THE DEPARTMENT MAY ERECT AND MAINTAIN ANY SUITABLE FISH HATCHERY, NURSERY, POND, OR REARING STATION TO PROPAGATE [[FIN]] FISH IN ORDER TO MANAGE THE WATERS OF THE STATE. HATCHERIES, NURSERIES, PONDS, AND REARING STATIONS SHALL BE MAINTAINED BY DEPARTMENT FUNDS.

REVISOR'S NOTE: This section presently appears as the last sentence of Article 66C, section 236 of the Code. Since its provisions cover tidal and nontidal fish hatcheries, section 226 is proposed for repeal. The provision of section 226 that game and freshwater fish hatcheries are maintained from funds derived from angler's licenses is unnecessary in light of proposed section 4-208. The reference to finfish is deleted and the word "fish" as defined in the title is used instead. The department advises it has hatcheries for the propagation of shell fish as well as finfish. The only other changes made are in style.

4-409. DEPARTMENT MAY TAKE GAME AND FRESHWATER FISH FOR MANAGEMENT PURPOSES.

THE DEPARTMENT MAY CATCH ANY GAME AND FRESHWATER FISH FROM THE WATERS OF THE STATE, INCLUDING ANY POND, LAKE, OR CANAL, PUBLICLY OR PRIVATELY OWNED, IN ORDER TO PROPAGATE IN CAPTIVITY AND DISTRIBUTE INTO PUBLIC WATERS BROOD STOCK, FRY, OR FINGERLINGS TO MANAGE THE FISH.

REVISOR'S NOTE: This section presently appears as Article 66C, section 218 of the Code. The last phrase is proposed for deletion as superfluous. There are no statutory provisions which preclude the department from exercising its authority through the year.