

stakes. In sub-paragraphs (1), (8), and (9) the Legislative Council added new language to clarify the location of the points intended.

Subsection (g) presently appears as Article 66C, section 264(d) of the Code. Subsection (h) presently appears as Article 66C, section 264(g). The penalty provision is retained since it creates a penalty greater than that in the uniform penalty provision in this title.

The only other changes made are in style.

4-712. RIGHTS OF RIPARIAN OWNER RELATING TO NETS OR HAUL SEINES.

(A) RIPARIAN OWNER FIRST ENTITLED TO SET NETS; EXCEPTIONS. — THE OWNER, TENANT, OR LESSEE OF ANY PROPERTY BORDERING ON TIDAL WATERS OF THE TRIBUTARIES OF THE CHESAPEAKE BAY, EXCEPT THE WATERS OF THE GREAT CHOPTANK RIVER, LYING IN THE STATE, BY VIRTUE OF HIS OWNERSHIP OR OCCUPANCY, MAY MAKE FIRST CHOICE OF THE SET OR POSITION TO PLACE NETS OR ESTABLISH A HAUL SEINE FISHERY TO CATCH FISH FOR COMMERCIAL USE IN FRONT OF THE PROPERTY FOR WHICH HE POSSESSES RIPARIAN RIGHTS. THE SECTION DOES NOT PERMIT ANY RIPARIAN OWNER OR ANYONE ACQUIRING THE RIGHT OF A RIPARIAN OWNER TO FISH WITH NETS OR SEINE IN ANY MANNER PROHIBITED BY THIS SUBTITLE.

(E) OTHER PERSONS AUTHORIZED TO SET NETS UNDER CERTAIN CIRCUMSTANCES.— IN ANY YEAR, ANY OTHER PERSON MAY SET ANY NET OR HAUL SEINE IN FRONT OF THE PROPERTY OF A RIPARIAN PROPERTY OWNER IF THE OWNER, TENANT, OR LESSEE OF THE RIPARIAN RIGHTS DOES NOT EXERCISE THE PRIVILEGE OF LOCATING THE POSITION WHERE HE DESIRES TO SET HIS NETS OR HAUL SEINE WITHIN 20 DAYS AFTER RECEIVING NOTICE FROM THE OTHER PERSON WHO DESIRES TO LOCATE HIS NETS OR FISHERY IN FRONT OF THE RIPARIAN OWNER'S PROPERTY.

(C) NOTICE REQUIREMENTS; EXCEPTIONS. — THE NOTICE REQUIRED BY THIS SECTION SHALL BE MAILED TO THE OWNER, TENANT, OR LESSEE OF THE SHORE PROPERTY. IF THE NAME AND ADDRESS ARE UNKNOWN, THEN NOTICE SHALL BE POSTED FOR 20 DAYS ON A BOARD FASTENED TO A STAKE DRIVEN IN THE WATER DIRECTLY IN FRONT OF THE PROPERTY AND WITHIN 300 FEET OF THE SHORE.