

Service" is proposed for deletion and "Department of Interior" is substituted therefor to allow for reorganization.

The only other changes made are in style.

4-718. FISH RESTRICTIONS IN CHARLES COUNTY.

(A) HAUL SEINES GENERALLY. — A PERSON MAY NOT USE A HAUL SEINE GREATER THAN 960 FEET IN LENGTH IN THE POTOMAC RIVER AND ITS TRIBUTARIES, AND IN THE WICOMICO RIVER AND ITS TRIBUTARIES BETWEEN MARYLAND POINT IN CHARLES COUNTY AND CHESELDINE'S ISLAND IN ST. MARY'S COUNTY. ANY PERSON WHO POSSESSES A SEINE GREATER THAN 960 FEET IN LENGTH WHILE ACTIVELY ENGAGING IN SEINING IN THESE WATERS IS GUILTY OF VIOLATING THIS SUBSECTION.

(B) HAUL SEINES AND GILL NETS FOR CATCHING CARP AND CATFISH PERMITTED.— A PERSON MAY SET A LICENSED HAUL SEINE AND GILL NET AT A DISTANCE GREATER THAN ONE THIRD THE DISTANCE ACROSS A RIVER, CREEK, COVE, OR INLET IN ANY OF THE TRIBUTARY WATERS OF CHARLES COUNTY ONLY TO CATCH CARP AND CATFISH, NOTWITHSTANDING ANY OTHER SECTION OF THIS SUBTITLE. A PERSON MAY NOT SET THE NET TO IMPEDE OR OBSTRUCT NAVIGATION OR BLOCK IN ANY WAY THE MAIN CHANNEL OF THE RIVER, CREEK, COVE, OR INLET. ANY PERSON WHO CATCHES FISH OF A VARIETY OTHER THAN CARP OR CATFISH IN ANY NET SHALL RETURN THEM IMMEDIATELY TO THE WATER UNHARMED. A PERSON ALWAYS SHALL ATTEND A NET FOR CATCHING CARP OR CATFISH. ANY PERSON WHOSE NET IS FOUND MORE THAN ONE THIRD THE DISTANCE ACROSS THE WATERS WHERE IT IS SET WITHOUT A PERSON IN ATTENDANCE IS GUILTY OF VIOLATING THIS SUBSECTION. THE PROVISIONS OF THIS SUBSECTION DO NOT APPLY FROM MARCH 1 THROUGH APRIL 30 AND SEPTEMBER 1 THROUGH NOVEMBER 30 IN EACH YEAR.

(C) NETS PROHIBITED ABOVE WOODLAND POINT HOUSE. — A PERSON MAY NOT SET A NET OF ANY DESCRIPTION TO CATCH FISH IN THE WICOMICO RIVER PROPER ABOVE WOODLAND POINT HOUSE IN CHARLES COUNTY.

REVISOR'S NOTE: Subsections (a) and (b) presently appear as Article 66C, section 274 (b) and (c) of the Code. Section 274(a) is proposed for deletion because the decision in Bruce v. Director, discussed in the revisor's note to section 4-703, supra, invalidates this type of provision. In subsection (a) the present penalty