

4-711.

(h) (1) Every licensee shall:

(i) Maintain the licensee's stakes in good condition; and

(ii) Promptly remove and renew any stake that may be unsound, broken, or liable to go adrift.

(2) A licensee may not permit or allow to remain in the water:

(i) Any pound net stake for a period greater than 30 days following the removal of the net from each stake;

(ii) Any pound net or stake for a period greater than 30 days following the discontinuance of fishing of the net; or

(iii) Any pound net or stake between January 1 and January 31 of any year unless the owner of the pound net or stake notifies the Department by certified mail, return receipt requested, that the net is being actively fished.

[(4)] (3) A licensee who fails to comply with the provisions of this subsection is guilty of a misdemeanor and upon conviction is subject to a fine of at least \$200 and not exceeding \$1,000 with costs imposed in the discretion of the court.

[(5)] (4) For a licensee who is convicted twice within 2 years of violating paragraph (1) of this subsection, the Department may suspend the licensee's striped bass authorization in the following year.

## DRAFTER'S NOTE:

Error: Stylistic error in § 4-711(h) of the Natural Resources Article.

Occurred: Ch. 289, Acts of 1998. Correction by the publisher of the Annotated Code in the 1998 Supplement of the Natural Resources Article is ratified by this Act.

4-1033.

(c) The Department may promulgate rules and regulations relating to any aspect of the soft-shell clam fishery and shall adopt rules and regulations governing:

(1) Measurement and structural details of a hydraulic clam [dredge,] DREDGE;

(2) The number of hydraulic clam dredges which may be carried on a [vessel,] VESSEL;

(3) The use of mufflers on motors or engines on hydraulic clam dredges or on board boats carrying hydraulic clam [dredges,] DREDGES;

(4) The establishment of limits on the number of bushels which may be caught by a hydraulic clam dredge, or by a boat carrying a hydraulic clam [dredge,] DREDGE;