

Approved April 27, 2004.

CHAPTER 221

(House Bill 1264)

AN ACT concerning

Natural Resources – Tidal Fisheries – Nets

FOR the purpose of repealing certain prohibitions on the use of stake nets; altering the type of net that is subject to a certain minimum distance requirement; decreasing the minimum distance a person must maintain between certain types of nets, under certain circumstances; and generally relating to nets used in the tidal fishery.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4-711(a) through (d)

Annotated Code of Maryland

(2000 Replacement Volume and 2003 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Natural Resources

4-711.

(a) A person may not set any pound [or stake] net or any line of these nets which is greater in length than one third the distance across the waters of the bay, sound, river, creek, cove, or inlet where it is set, or is set so that it impedes or obstructs navigation on or blocks in any way the main channel of the bay, sound, river, creek, cove, or inlet the length limit provided here shall not be construed to apply to any [stake net or] line of nets running parallel to the bank or shore of any bay, sound, river, creek, cove, or inlet but no net may be set across the mouth on any tributary, harbor or navigation channel.

(b) A person may not set at any time a pound net within 4500 feet of another pound net in the Chesapeake Bay and within 1500 feet in a tributary of the Chesapeake Bay, measured at right angles to the line of stakes. Every pound net set licensed in the Chesapeake Bay or one of its tributaries may retain the locations it lawfully occupied on June 1, 1949. [A] EXCEPT AS OTHERWISE PROVIDED BY THIS TITLE, A person may not set at any time a [stake] FYKE net within [1200] ~~400~~ 300 feet of [another stake net or] A pound net, measured at right angles to the line of stakes. A person may set any [stake or] fyke net closer to any pound net than the distance provided in this subsection if the owner of the pound net location gives written permission.