

remain in the water longer than a certain period of time following discontinuance of fishing; prohibiting a licensee from allowing a pound net or stake to remain in the water between certain dates, except under certain circumstances; clarifying language relating to pound nets and pound net stakes; altering the circumstances under which a licensee who fails to comply with certain provisions relating to pound nets and pound net stakes is guilty of a misdemeanor and subject to certain penalties; repealing a requirement that the Department of Natural Resources provide certain notice to a licensee under certain circumstances; authorizing the Department to suspend a licensee's striped bass authorization under certain circumstances; making stylistic changes; and generally relating to fishing and pound nets and pound net stakes.

BY repealing and reenacting, with amendments,

Article - Natural Resources

Section 4-711(h)

Annotated Code of Maryland

(1997 Replacement Volume and 1997 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.

~~(h) Every licensee shall maintain his stakes AND LIGHTS in good condition and promptly remove and renew any stake that may be unsound, broken, or liable to go adrift. A licensee may not permit or allow to remain in the water any pound or net stake for a period greater than 30 days following the removal of the net from each stake, or the discontinuance of fishing of the net AND MAY NOT PERMIT OR ALLOW ANY POUND OR STAKE NET POLES TO REMAIN IN THE WATER BETWEEN JANUARY 1 AND JANUARY 31, UNLESS THE OWNER OF THE POUND NET NOTIFIES THE DEPARTMENT THAT THE NET IS BEING ACTIVELY FISHED. [If the licensee does not comply with the provision of this subsection, the Department immediately shall notify him by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to remove the stakes within 30 days after receipt of the notice. If the] A licensee WHO fails to comply with [this notice he] 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, AND MAY NOT BE ELIGIBLE TO OBTAIN A STRIPED BASS ALLOCATION IN THE FOLLOWING YEAR.~~

(h) (1) Every licensee shall:

(I) [maintain his] MAINTAIN THE LICENSEE'S stakes in good condition; and

(II) [promptly] PROMPTLY remove and renew any stake that may be unsound, broken, or liable to go adrift.