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By: **Senator Stoltzfus**

Introduced and read first time: February 2, 2000

Assigned to: Economic and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 22, 2000

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CHAPTER 263

1 AN ACT concerning

2 **Fishing - Regulation of Pound or Stake Nets**

3 FOR the purpose of repealing a certain requirement to provide certain information in  
4 certain license applications on the placement of certain nets; authorizing the  
5 Department of Natural Resources to adopt certain regulations on the placement  
6 of certain nets, including regulations that impose a certain limit on the number  
7 of locations that may be assigned to a licensee; and generally relating to the  
8 regulation of pound or stake nets.

9 BY repealing and reenacting, with amendments,  
10 Article - Natural Resources  
11 Section 4-704  
12 Annotated Code of Maryland  
13 (1997 Replacement Volume and 1999 Supplement)

14 BY adding to  
15 Article - Natural Resources  
16 Section 4-711(i)  
17 Annotated Code of Maryland  
18 (1997 Replacement Volume and 1999 Supplement)

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

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**Article - Natural Resources**

2 4-704.

3 (a) A person may not catch or attempt to catch finfish in the tidal waters of  
4 the State by the use of any net or other device except hook and line, dip net operated  
5 by hand, spear gun, or bow and arrow pursuant to the provisions of this subtitle  
6 unless he possesses a valid license to catch finfish issued by the Department.

7 (b) An applicant for a license to catch finfish shall furnish information the  
8 Department requires. [The application shall state the exact location where any pound  
9 net is to be set. Each applicant shall certify whether he previously had a license for  
10 nets or seines in the State, and if so, that he had complied with the provisions of this  
11 subtitle concerning the removal and renewal of stakes, including § 4-711 requiring  
12 stakes to be maintained in good condition. Failure to furnish the required information  
13 or making a false statement as to any material fact, constitutes sufficient grounds to  
14 deny an application.]

15 (c) The Department may not grant a license to any person, under the  
16 provisions of this subtitle, to set a pound net on the location occupied by any other  
17 pound net or within 4,500 feet in the Chesapeake Bay or 1,500 feet in a tributary of  
18 the Chesapeake Bay measured at right angles to the line of stakes, unless the other  
19 licensee failed to apply for renewal of his license by the expiration date of the year for  
20 which it was granted.

21 4-711.

22 (I) (1) THE DEPARTMENT MAY ADOPT REGULATIONS ON THE PLACEMENT  
23 OF POUND OR STAKE NETS, INCLUDING A LIMIT ON THE NUMBER OF LOCATIONS OF  
24 POUND NETS THAT MAY BE ASSIGNED TO A LICENSEE.

25 (2) IN THE REGULATIONS ADOPTED UNDER PARAGRAPH (1) OF THIS  
26 SUBSECTION, THE DEPARTMENT MAY IMPOSE A LIMIT OF UP TO EIGHT LOCATIONS  
27 OF POUND NETS THAT MAY BE ASSIGNED TO A LICENSEE.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 October 1, 2000.