
By: ~~Delegate Weir~~ **Delegates Weir, Stup, Klausmeier, Stull, and Cadden**

Introduced and read first time: February 9, 1998

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 17, 1998

CHAPTER _____

1 AN ACT concerning

2 **Fishing - Interference with Fishing Activities**

3 FOR the purpose of prohibiting persons from interfering with certain fishing
4 activities; providing that these prohibitions do not apply to certain lawful
5 activities under certain circumstances; allowing for the arrest of persons who
6 interfere with certain fishing activities; providing for the effective date; and
7 generally relating to interference with fishing activities.

8 BY adding to
9 Article - Natural Resources
10 Section 4-506.1
11 Annotated Code of Maryland
12 (1997 Replacement Volume and 1997 Supplement)

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

15 **Article - Natural Resources**

16 4-506.1.

17 (A) ~~WHILE ON PRIVATE LAND, ON NONTIDAL OR TIDAL WATERS, OR IN AN~~
18 ~~AREA ON LAND OR WATER MANAGED BY THE DEPARTMENT OR PUBLIC LAND, OR~~
19 MARYLAND WATERS, A PERSON MAY NOT ~~WILLFULLY~~ FOR THE PURPOSE OF
20 DISRUPTING A LAWFUL FISHING ACTIVITY:

21 (1) INTERFERE INTENTIONALLY WITH THE LAWFUL TAKING OF FISH OR
22 OTHER MARINE LIFE BY ANOTHER PERSON;

1 (2) INTENTIONALLY HARASS, DRIVE, OR DISTURB ANY FISH FOR THE
2 PURPOSE OF DISRUPTING A LAWFUL FISHING ACTIVITY;

3 (3) INTENTIONALLY BLOCK, IMPEDE, HARASS, OR DISTURB A PERSON
4 ENGAGED IN A LAWFUL FISHING ACTIVITY;

5 (4) INTENTIONALLY DENY PASSAGE BY CREATING OR ERECTING
6 BARRIERS ON PUBLIC PROPERTY OR ON PRIVATE PROPERTY WITHOUT THE
7 LANDOWNER'S PRIOR PERMISSION TO AREAS WHERE A LAWFUL FISHING ACTIVITY
8 IS PERMITTED; OR

9 (5) INTENTIONALLY HINDER A LAWFUL FISHING ACTIVITY BY PLACING
10 OBSTACLES OR OBJECTS IN WATERS OF THE STATE.

11 (B) THE CONDUCT DECLARED UNLAWFUL IN THIS SECTION DOES NOT
12 INCLUDE ANY INCIDENTAL INTERFERENCE ARISING FROM LAWFUL ACTIVITY BY
13 PRIVATE LAND USERS OR USERS OF LAND MANAGED BY THE DEPARTMENT,
14 INCLUDING FARMERS, MINERS, OR PERSONS ENGAGED IN RECREATION.

15 ~~(B)~~ (C) A NATURAL RESOURCES POLICE OFFICER OR OTHER POLICE
16 OFFICER OF THE STATE WHO HAS PROBABLE CAUSE TO BELIEVE THAT A PERSON
17 HAS VIOLATED THIS SECTION MAY:

18 (1) ORDER THE PERSON TO DESIST OR TO LEAVE THE AREA; OR

19 (2) ARREST THE PERSON WHO REFUSES TO DESIST OR TO LEAVE THE
20 AREA.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 ~~October 1, 1998~~ June 1, 1998.