
By: **Delegate Weir**

Introduced and read first time: February 13, 2004

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Tidal Fisheries - Nets**

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

8 BY repealing and reenacting, with amendments,
9 Article - Natural Resources
10 Section 4-711(a) through (d)
11 Annotated Code of Maryland
12 (2000 Replacement Volume and 2003 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 4-711.

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

25 (b) A person may not set at any time a pound net within 4500 feet of another
26 pound net in the Chesapeake Bay and within 1500 feet in a tributary of the
27 Chesapeake Bay, measured at right angles to the line of stakes. Every pound net set
28 licensed in the Chesapeake Bay or one of its tributaries may retain the locations it
29 lawfully occupied on June 1, 1949. [A] EXCEPT AS OTHERWISE PROVIDED BY THIS

1 TITLE, A person may not set at any time a [stake] FYKE net within [1200] 400 feet of
2 [another stake net or] A pound net, measured at right angles to the line of stakes. A
3 person may set any [stake or] fyke net closer to any pound net than the distance
4 provided in this subsection if the owner of the pound net location gives written
5 permission.

6 (c) Clear and unobstructed intervals of at least 200 feet shall be maintained
7 between successive pound [or stake] nets in the same row.

8 (d) A person may not set a pound [or stake] net in or upon the waters covering
9 leased oyster ground without the permission of the lessee.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2004.