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By: **Senator Jacobs**

Introduced and read first time: February 1, 2006

Assigned to: Education, Health, and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Bush River - Fyke Nets**

3 FOR the purpose of prohibiting the use of fyke nets in the waters of the Bush River  
4 during certain times of the year; and generally relating to fishing in the Bush  
5 River.

6 BY repealing and reenacting, with amendments,  
7 Article - Natural Resources  
8 Section 4-721  
9 Annotated Code of Maryland  
10 (2005 Replacement Volume and 2005 Supplement)

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

13 **Article - Natural Resources**

14 4-721.

15 (a) A person may not fish with a hauling seine or stake net in the waters of  
16 Swan Creek from July 15 to September 15, both dates inclusive, and in the waters of  
17 the Gunpowder River lying in Harford County from May 15 to September 15, both  
18 dates inclusive.

19 (b) (1) A person may not fish at any time with a haul seine in the waters of  
20 Bush River or any of its tributaries in Harford County.

21 (2) A PERSON MAY NOT USE A FYKE NET IN THE WATERS OF THE BUSH  
22 RIVER FROM JANUARY 1 TO MARCH 20.

23 (c) (1) A person may not fish a pound net in any part of the Gunpowder and  
24 Bush rivers lying in Harford County further than 1,500 feet from the shoreline of the  
25 Gunpowder River below Maxwell Point at mean low water tide and 750 feet from the  
26 shoreline of the Bush River at mean low water tide.

1                   (2)     (i)       Except within the boundaries of the Aberdeen Proving Grounds,  
2 AND EXCEPT AS PROVIDED IN SUBSECTION (B)(2) OF THIS SECTION, a person may not  
3 set a fyke net in the Bush River within 300 feet of another fyke net or 750 feet of a  
4 pound net, measured at right angles to existing nets or line of nets for enforcement  
5 purposes.

6                   (ii)     [An] EXCEPT AS PROVIDED IN SUBSECTION (B)(2) OF THIS  
7 SECTION, AN owner, tenant, or lessee of the riparian rights of any property bordering  
8 the Bush River may maintain a single fyke net that is closer than 300 feet to another  
9 fyke net or pound net set in front of an adjacent property.

10           (d)       A person may not use a pound net or stake net in the waters of the  
11 Susquehanna River.

12           (e)     (1)       A person may not set or maintain a commercial drift gill net, stake  
13 gill net, or anchor gill net so that any portion of the net is closer than 500 feet from  
14 any portion of any other commercial drift gill net, stake gill net, or anchor gill net in  
15 the designated striped bass spawning area of the Susquehanna River north of  
16 Concord Point and Stump Point.

17           (2)       South of the line outlined, in paragraph (1) of this subsection, to  
18 Bears Point and Turkey Point, a person may set a commercial drift gill net only as  
19 provided in paragraph (1) of this subsection and may set and maintain a stake gill net  
20 or anchor gill net only as provided in paragraph (1) of this subsection.

21       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2006.