

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 167 (Delegates Haddaway and Eckardt)
Environmental Matters

Natural Resources - Pound Nets and Haul Seines

This bill repeals provisions authorizing a person to set fishing nets in front of riparian (waterfront) property if the riparian property owner does not set its nets within 20 days of receiving notice from the person who wishes to set his/her nets there. The bill also repeals the provisions regarding the required notice. Finally, the bill repeals the requirement that applies in specified counties to obtain the permission of the shore owner in order to set fishing nets.

Fiscal Summary

State Effect: The bill would not materially affect State operations or finances.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: In general, a riparian property owner, tenant, or lessee may make first choice of the set or position to place nets or establish a haul seine fishery to catch fish for commercial use in front of the property for which he possesses riparian rights. Any other person may set any net or haul seine in front of the property of a riparian property owner if the owner, tenant, or lessee of the riparian rights does not exercise the privilege of locating the position where he desires to set his nets or haul seine within 20 days after receiving notice from the other person who desires to locate his nets or fishery in front of the riparian owner's property. The notice must be mailed to the owner, tenant, or lessee

of the shore property. If the name and address are unknown, it must be posted in the water in front of the property. The notice provisions do not apply in the waters of Baltimore, Caroline, Charles, Dorchester, Prince George's, St. Mary's, and Talbot counties, where the permission of the shore owner is always necessary. None of these provisions apply to Anne Arundel, Calvert, Queen Anne's, Kent, and Somerset counties.

Background: According to the Department of Natural Resources, there are currently 191 watermen with registered pound net sites in the counties where permission is currently required.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Natural Resources, Department of Legislative Services

Fiscal Note History: First Reader - February 2, 2006
mam/ljm

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