

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1436

(Delegate Weir, *et al.*)

Environmental Matters

Education, Health, and Environmental Affairs

Natural Resources - Fishing Restrictions - Pot and Net Setting

This bill reduces the distance requirement between specified fishing nets in the Chesapeake Bay from 1,650 feet to 500 feet unless other provisions of law specify otherwise. The bill also modifies existing provisions relating to the total length of nets and the distance nets may set by specifying the types of nets to which those provisions apply. In general, the bill's changes apply to fish pots, fyke nets, and connected lines of fyke nets.

Fiscal Summary

State Effect: The bill's changes could be handled with existing budgeted resources.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: Section 4-728 of the Natural Resources Article, which is amended by this bill, generally prohibits a person from setting any net in the Chesapeake Bay within 1,650 feet in any direction of any other net. In addition, a net may not be set at a distance greater than one-fourth the distance across the bay, measured from the low water mark. Section 4-728 specifies other distance requirements for specified waters in Calvert and St. Mary's counties.

Other distance requirements (for certain types of nets and for certain areas) are established in other sections of Title 4, Subtitle 7 of the Natural Resources Article. For example, Section 4-711 establishes a distance requirement of 4,500 feet between pound nets in the Chesapeake Bay and 1,500 feet between pound nets in a tributary of the Chesapeake Bay.

Background: The Department of Natural Resources advises that Section 4-728 is an antiquated provision of law that is rarely referenced, but recently, a waterman was written a citation for violating that provision by having two of his own fyke nets set too close together.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - March 13, 2008
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