

HOUSE BILL 1519

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6lr3519

By: **Delegate S. Robinson**

Introduced and read first time: February 17, 2016

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Cownose Rays – Use of Projectile Gear Prohibited**

3 FOR the purpose of prohibiting a person from using projectile gear to catch cownose rays
4 during a certain period of time; and generally relating to cownose rays.

5 BY repealing and reenacting, with amendments,

6 Article – Natural Resources

7 Section 4–710

8 Annotated Code of Maryland

9 (2012 Replacement Volume and 2015 Supplement)

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

12 **Article – Natural Resources**

13 4–710.

14 (a) A person may not catch finfish for any purpose in the tidal waters of the State
15 by use of any gig, gig iron, purse net, beam trawl, otter trawl, trammel net, troll net, or
16 drag net. Any person who violates this section by catching fish with any of the equipment
17 or devices referred to in this subsection, with the exception of a gig or gig iron, is guilty of
18 a misdemeanor and upon conviction is subject to a fine not exceeding \$1,000 or
19 imprisonment not exceeding one year, or both, with costs imposed in the discretion of the
20 court. Any person who illegally catches fish with a gig or gig iron is subject to the penalties
21 provided by this title.

22 (b) An appropriately licensed person may fish in the waters of the Atlantic Ocean
23 with an otter trawl or beam trawl, subject to Department rules and regulations, if the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 person is at least one mile from the shoreline. The Department rules and regulations shall
2 include:

3 (1) Setting seasons when otter trawl or beam trawl fishing is permitted;
4 and

5 (2) Enumerating the species of fish which may be taken.

6 (c) (1) A person may not fish with any net whose size of stretched mesh,
7 allowing a reasonable tolerance for shrinkage, is less than the following: pound net, 1 1/2
8 inches; haul seine, 1 1/2 inches; gill net, 2 1/2 inches; fyke or hoop net, 1 1/2 inches.

9 (2) Any hedging or lead attached to a fish trap, fyke net, or pound net shall
10 be constructed of materials which have meshes having a twine size of #12 or larger.

11 (3) In the Chesapeake Bay and its tributaries, a person may not set or fish
12 any gill net whose size of stretched mesh is more than 6 inches.

13 (4) This subsection does not apply to catching eels with a net.

14 (d) (1) Except as provided in paragraphs (2) and (3) of this subsection, a person
15 may not install, set, operate, or maintain in any tidal water of the Chesapeake Bay or its
16 tributaries any monofilament gill net webbing of any description to catch fish.

17 (2) A person may use a monofilament cast net or a monofilament throw net
18 to catch baitfish in any tidal water of the Chesapeake Bay or its tributaries.

19 (3) In casting a monofilament net as provided under paragraph (2) of this
20 subsection, a person:

21 (i) May not use a cast net that has a radius greater than 10 feet; and

22 (ii) May cast a cast net only by hand.

23 (e) A person may not set any anchored gill net or fyke or hoop net or any line of
24 these nets which has a length more than one third the distance across the waters of the
25 bay, sound, river, creek, cove, or inlet where it is set, or is set so that it impedes or obstructs
26 navigation on or blocks in any way the main channel of the bay, sound, river, creek, cove,
27 or inlet. The outer end of the submerged gear of any nets referred to in this subsection shall
28 be marked by means of a paddle, a board, or a buoy or other floating device which shows
29 the name and license number of the net owner.

30 (f) A person may not haul any seine or net more than one third of the distance
31 across the body of water, bay, sound, river, creek, cove, or inlet.

1 (g) A person may not catch or attempt to catch finfish by the use of any stationary
2 fishing gear, or set an anchor or mooring buoy, or in any way obstruct the normal taking of
3 finfish by drift net from December 1 through April 1.

4 This subsection applies only to waters more than 50 feet in depth in the Chesapeake
5 Bay south of the William Preston Lane, Jr., Memorial Bridge and is not applicable to any
6 Chesapeake Bay tributaries. This provision does not apply to any designated anchorage in
7 existence on July 1, 1975. The Department has the authority to permit exceptions to this
8 section by regulations when it can be shown that the obstruction will not interfere with a
9 useable fishing reach.

10 (h) (1) Except in State waters in the Atlantic Ocean, a tidal fish licensee may
11 not use more than 2 hooks or 2 sets of hooks for each rod or line.

12 (2) For the purposes of this subsection, artificial lures or plugs with
13 multiple or gang hooks are considered 1 set of hooks.

14 **(I) A PERSON MAY NOT USE PROJECTILE GEAR, INCLUDING A BOW, GIG,
15 SPEAR, OR SPEAR GUN, TO CATCH COWNOSE RAYS FROM JANUARY 1 THROUGH JULY
16 4.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2016.