



SPONSOR: Sen. McBride & Rep. Carson & Sen. Poore &  
Sen. Simpson  
Sens. Ennis, Henry, Hocker, Lawson, McDowell, Sokola,  
Walsh; Reps. Heffernan, Mulrooney, Spiegelman

DELAWARE STATE SENATE  
149th GENERAL ASSEMBLY

SENATE BILL NO. 158

AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO TYPES OF FISHING EQUIPMENT  
AND METHODS USED FOR FISHING FOR FOOD FISH.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1           Section 1. Amend § 910, Title 7 of the Delaware Code by making deletions as shown by strike through and  
2     insertions as shown by underline as follows:

3           § 910. Types of fishing equipment and methods used for fishing for food fish.

4           (a) Unless otherwise authorized by this chapter or the adoption of any Department regulation or issuance of  
5     Division permits subsequent to April 27, 1984, it ~~shall be~~ is illegal for any person to fish for food fish in the tidal waters of  
6     the State with any fishing equipment or by any method, except:

7           (b) A person may land food fish caught with equipment or using a method not permitted under subsection (a) of  
8     this section if all of the following exist:

9                     (1) The food fish was caught in the fishery conservation zone under § 901(d) of this title.

10                    (2) The person has all necessary federal and State permits.

11                    (3) The food fish is in compliance with an established State quota.

12                    (4) The food fish was caught using equipment or a method that is legal in the fishery conservation zone.

SYNOPSIS

This Act allows a person to land food fish in Delaware that was caught using equipment or a method illegal in Delaware waters if the food fish was caught in the fishery conservation zone, the person has the necessary State and federal permits, the amount of the food fish is in compliance with an established State quota, and the equipment or method is legal the fishery conservation zone. This change is necessary so that a person who needs to fish in the fishery conservation zone to reach an established State quota of fish can safely and efficiently land the fish in Delaware.

This Act also makes a technical correction to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Author: Senator McBride