

HOUSE BILL 735

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M2

2003 Regular Session
(31r0503)

ENROLLED BILL
*-- Environmental Matters/Education, Health, and
Environmental Affairs --*

Introduced by **Delegates O'Donnell, Bohanan, Owings, Proctor, Vallario, and
Wood**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER 174

1 AN ACT concerning

2 **Calvert and St. Mary's Counties - Shellfish - Harvesting by Wharf Owners**

3 FOR the purpose of allowing in Calvert and St. Mary's counties the owner of certain
4 wharves or other structures on or about the water to have the exclusive use of
5 certain areas around the wharf or structure to grow and harvest shellfish;
6 providing for the ownership of certain oysters in Calvert and St. Mary's counties
7 if the oysters are grown in certain containers that are attached to certain piers
8 and wharves; and generally relating to oyster cultivation in Calvert and St.
9 Mary's counties.

10 BY repealing and reenacting, with amendments,
11 Article - Natural Resources
12 Section 4-11A-16(b)
13 Annotated Code of Maryland
14 (2000 Replacement Volume and 2002 Supplement)

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

3 **Article - Natural Resources**

4 4-11A-16.

5 (b) The owner of any wharf or other structure constructed on or about the
6 water and approved by the corps of engineers, shall have exclusive use, for the
7 purpose of growing and harvesting shellfish, of the area:

8 (1) Below the owner's wharf or structure; {and}

9 (2) In ~~Talbot and~~ CALVERT, Howard, ST. MARY'S, AND TALBOT counties
10 only, within 5 feet of the owner's wharf or structure, oysters grown in trays, baskets,
11 or containers that are attached to a private pier or wharf by lines or ropes that are the
12 property of the owner of the pier or wharf; ~~AND~~

13 ~~(3) IN CALVERT AND ST. MARY'S COUNTIES ONLY, WITHIN 15 FEET OF~~
14 ~~THE OWNER'S WHARF OR STRUCTURE, OYSTERS GROWN IN TRAYS, BASKETS, OR~~
15 ~~CONTAINERS THAT ARE ATTACHED TO A PRIVATE PIER OR WHARF BY LINES OR~~
16 ~~ROPES THAT ARE THE PROPERTY OF THE OWNER OF THE PIER OR WHARF.~~

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 2003.