

HOUSE BILL 916

M2

6lr3142

By: **Delegates Jacobs, Carozza, Cassilly, Hornberger, S. Howard, Mautz, Otto, and Reilly**

Introduced and read first time: February 10, 2016

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Hard-Shell Clams – Use of Hydraulic Clam Dredge – Atlantic Coastal Bays**

3 FOR the purpose of authorizing a person to catch hard-shell clams by hydraulic clam
4 dredge in certain areas of the Atlantic Coastal Bays; prohibiting a person who
5 catches hard-shell clams in the Atlantic Coastal Bays from using a hydraulic clam
6 dredge that has a tooth bar that exceeds a certain length; limiting the number of
7 licensees per vessel who may catch hard-shell clams by hydraulic clam dredge in the
8 Atlantic Coastal Bays; requiring one licensee on a vessel catching hard-shell clams
9 by hydraulic clam dredge in the Atlantic Coastal Bays to be the owner and operator
10 of the vessel; establishing certain daily catch limits for and a certain season for
11 catching hard-shell clams by hydraulic clam dredge in the Atlantic Coastal Bays;
12 and generally relating to catching hard-shell clams by hydraulic clam dredge in the
13 Atlantic Coastal Bays.

14 BY repealing and reenacting, with amendments,
15 Article – Natural Resources
16 Section 4-1002 and 4-1021.1
17 Annotated Code of Maryland
18 (2012 Replacement Volume and 2015 Supplement)

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

21 **Article – Natural Resources**

22 4-1002.

23 **(A)** Notwithstanding any other provision of this title **AND EXCEPT FOR**
24 **SUBSECTION (B) OF THIS SECTION**, a person may not catch or attempt to catch clams or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 oysters by power dredge, hydraulic clam dredge, or other mechanical means in the Atlantic
2 Coastal Bays, as defined in § 8-1802 of this article.

3 **(B) A PERSON MAY CATCH HARD-SHELL CLAMS BY HYDRAULIC CLAM**
4 **DREDGE IN THE ATLANTIC COASTAL BAYS IN ACCORDANCE WITH § 4-1021.1 OF**
5 **THIS SUBTITLE.**

6 4-1021.1.

7 **(A) [A] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A person**
8 **may not catch hard-shell clams by hydraulic clam dredge or other mechanical means in**
9 **the Atlantic Coastal Bays, as defined in § 8-1802 of this article.**

10 **(B) (1) A PERSON MAY CATCH HARD-SHELL CLAMS BY HYDRAULIC CLAM**
11 **DREDGE IN THE ATLANTIC COASTAL BAYS BETWEEN THE VERRAZANO BRIDGE AND**
12 **THE MARYLAND-VIRGINIA STATE LINE IN ACCORDANCE WITH THIS SUBSECTION.**

13 **(2) A PERSON WHO CATCHES HARD-SHELL CLAMS UNDER THIS**
14 **SUBSECTION MAY NOT USE A HYDRAULIC CLAM DREDGE THAT HAS A TOOTH BAR**
15 **THAT EXCEEDS 28 INCHES IN LENGTH MEASURING FROM THE OUTSIDE EDGES.**

16 **(3) NO MORE THAN TWO LICENSEES PER VESSEL MAY CATCH**
17 **HARD-SHELL CLAMS UNDER THIS SUBSECTION, ONE OF WHOM SHALL BE THE**
18 **OWNER AND OPERATOR OF THE VESSEL.**

19 **(4) THE DAILY CATCH LIMIT FOR HARD-SHELL CLAMS UNDER THIS**
20 **SUBSECTION IS:**

21 **(I) 4,000 PER LICENSEE; AND**

22 **(II) 8,000 PER VESSEL.**

23 **(5) THE SEASON FOR CATCHING HARD-SHELL CLAMS UNDER THIS**
24 **SUBSECTION IS FROM NOVEMBER 1 THROUGH MARCH 31 OF THE FOLLOWING YEAR.**

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