
By: Delegate Schisler

Introduced and read first time: February 12, 1996

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Leased Oyster Bottom Markers - Advertising - Prohibited**

3 FOR the purpose of prohibiting a device intended to mark the location of a leased oyster
4 bottom from including material that advertises a product or service or indicating
5 anything other than that the device marks the location of a leased oyster bottom.

6 BY repealing and reenacting, with amendments,
7 Article - Natural Resources
8 Section 4-11A-10
9 Annotated Code of Maryland
10 (1989 Replacement Volume and 1995 Supplement)

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

13 **Article - Natural Resources**

14 4-11A-10.

15 (a) (1) Immediately upon entering into a lease, SUBJECT TO PARAGRAPH(2)
16 OF THIS SUBSECTION, every lessee shall designate leased oyster bottoms by plainly
17 marking them as specified by regulations issued by the Department in consultation with
18 the Tidal Fisheries Advisory Committee and Aquaculture Advisory Committee. The
19 initials of the lessee shall be marked on at least four markers. The lessee shall exercise
20 reasonable diligence in maintaining markers but the temporary loss or destruction of any
21 markers shall not operate to permit any unauthorized person to trespass or remove,
22 destroy, or disturb oysters on any areas.

23 (2) A BUOY, FLOAT, SIGN, OR OTHER DEVICE USED TO MARK A LEASED
24 OYSTER BOTTOM UNDER THIS SECTION MAY NOT CONTAIN ANY SIGN, DISPLAY,
25 LIGHT, STRUCTURE, FIGURE, PAINTING, DRAWING, MESSAGE, PLAQUE, PLACARD,
26 POSTER, BILLBOARD, DEVICE OR OTHER THING THAT IS DESIGNED, INTENDED, OR
27 USED TO ADVERTISE A PRODUCT OR SERVICE OFFERED BY A PRIVATE ENTITY OR
28 INFORM THE GENERAL PUBLIC OF ANYTHING OTHER THAN THAT THE BUOY,
29 FLOAT, SIGN, OR OTHER DEVICE MARKS THE LOCATION OF A LEASED OYSTER
30 BOTTOM.

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1 (b) If any leased oyster bed does not have markers at the 4 corners of the bed, a
2 person, including the lessee, may not catch oysters from the bed. If the markers are not in
3 order on any leased oyster bed, the Natural Resources Police have a duty not to allow a
4 person to operate or catch oysters in the bed until the corner markers are replaced.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 1996.