
By: **Delegates W. Baker and McClenahan**
Introduced and read first time: February 9, 2001
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Methods for Catching Oysters and Spat**

3 FOR the purpose of requiring the Department of Natural Resources to adopt certain
4 regulations that allow the use of certain methods to catch spat for aquaculture
5 purposes; requiring a person to use certain methods when catching oyster spat
6 in the waters of the State; authorizing a person to catch oysters or clams in
7 certain manners subject to regulations adopted by the Department; and
8 generally relating to catching oysters, clams, and spat.

9 BY repealing and reenacting, with amendments,
10 Article - Natural Resources
11 Section 4-1005
12 Annotated Code of Maryland
13 (2000 Replacement Volume)

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

16 **Article - Natural Resources**

17 4-1005.

18 (a) Subject to [restrictions promulgated] REGULATIONS ADOPTED BY THE
19 DEPARTMENT pursuant to this subtitle, a person may catch oysters or clams in the
20 waters of the State only by hand, rakes, tongs, patent tongs, diving apparatus,
21 dredges, AND [handscrapes,] HANDSCRAPES. [cultch material suspended on strings,
22 in trays, in bags, or similar devices.] Soft-shell clams may be caught by hydraulic or
23 mechanical dredges or rigs.

24 (b) The Department may make uniform the size and weight of patent tongs in
25 waters where patent tongs are permitted. However, any person using any size or
26 weight patent tongs on June 1, 1964, may continue to use them.

27 (c) A person may catch oyster spat in the waters of the State by METHODS IN
28 ACCORDANCE WITH REGULATIONS PROMULGATED UNDER THIS SECTION

1 INCLUDING [suspended] means such as cultch material on strings, trays, bags, or
2 similar devices, [which do not touch the bottom and] WHICH do not interfere with
3 navigation.

4 (D) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS
5 SECTION THAT ALLOW THE FOLLOWING METHODS TO CATCH SPAT FOR
6 AQUACULTURE PURPOSES:

7 (1) SUSPENDED DEVICES; AND

8 (2) MATERIAL OR DEVICES PLACED ON THE BOTTOM.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 July 1, 2001.