

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE
Revised

House Bill 735

(Delegate O'Donnell, *et al.*)

Environmental Matters

Education, Health, and Environmental Affairs

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

This bill allows the owner of any wharf or other specified structure in Calvert and St. Mary's counties to have exclusive use of the area within five feet of the wharf or structure for the purpose of growing and harvesting oysters in trays, baskets, or containers that are attached to a private pier or wharf by lines or ropes that are the property of the pier or wharf owner.

The bill takes effect July 1, 2003.

Fiscal Summary

State Effect: Assuming the bill's authority is used to grow and harvest oysters for personal consumption, the bill would not materially affect State operations or finances.

Local Effect: The bill would not directly affect local government operations or finances.

Small Business Effect: Minimal or none.

Analysis

Current Law: The owner of any wharf or other structure constructed on or about the water and approved by the U.S. Army Corps of Engineers has exclusive use, for the purpose of growing and harvesting shellfish, of the area below the owner's wharf or structure. In Talbot and Howard counties only, exclusive use is also extended to the area within five feet of the owner's wharf or structure, for oysters grown in trays, baskets, or containers that are attached to a private pier or wharf by lines or ropes that are the

property of the owner of the pier or wharf. Commercial harvest is not allowed under piers or wharfs.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Natural Resources, Maryland Department of the Environment, Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - March 4, 2003
mld/jr Revised - Enrolled Bill - April 21, 2003

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