

HOUSE BILL 1158

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71r0046

By: **Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)**

Introduced and read first time: February 19, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Shellfish Dealers – Licensure**

3 FOR the purpose of requiring a person who deals in shellfish to obtain a license issued
4 by the Department of Natural Resources; requiring the Department to adopt
5 certain regulations to define the species that are included as shellfish for certain
6 purposes; and generally relating to the licensure of shellfish dealers.

7 BY repealing and reenacting, with amendments,
8 Article – Natural Resources
9 Section 4–702
10 Annotated Code of Maryland
11 (2005 Replacement Volume and 2006 Supplement)

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

14 **Article – Natural Resources**

15 4–702.

16 (a) Except as provided in subsection (b), a person may not buy, sell, ship,
17 transport, or otherwise deal in finfish **OR SHELLFISH** unless the person is licensed by
18 the Department.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) The following persons are not required to obtain a license under this
2 section:

3 (1) A person licensed by the Department to catch finfish for sale;

4 (2) A retail market, restaurant, or other establishment where finfish
5 are sold or served to ultimate consumers, and not for resale;

6 (3) A person who buys finfish for personal use or consumption; and

7 (4) A person who catches and sells as bait finfish species defined as
8 bait under subsection (c) of this section.

9 (c) The Department shall adopt regulations defining which species of finfish
10 may be caught and sold as bait under subsection (b)(4) of this section.

11 **(D) THE DEPARTMENT SHALL ADOPT REGULATIONS TO DEFINE THE**
12 **SPECIES THAT ARE INCLUDED AS SHELLFISH UNDER SUBSECTION (A) OF THIS**
13 **SECTION.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 July 1, 2007.