

# HOUSE BILL 622

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By: **Delegates Szeliga, Boteler, Cane, Eckardt, Haddaway–Riccio, Hershey, Impallaria, Jacobs, McDermott, McDonough, Minnick, O’Donnell, Otto, Smigiel, Weir, and Wood**

Introduced and read first time: February 1, 2013

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Oyster Harvesting – Distribution of Oyster Tags**

3 FOR the purpose of requiring the Department of Natural Resources to provide a  
4 certain minimum quantity of oyster tags when the Department distributes  
5 oyster tags to an individual licensed to catch oysters; defining a certain term;  
6 and generally relating to oyster harvesting.

7 BY repealing and reenacting, with amendments,  
8 Article – Natural Resources  
9 Section 4–1018  
10 Annotated Code of Maryland  
11 (2012 Replacement Volume)

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 4–1018.

16 (a) (1) Every oyster in the shell and every oyster shell sold in the State  
17 shall be measured either in a half bushel tub, a bushel tub, a bushel and a half tub, or  
18 a 3 bushel tub. A person shall measure oysters in the shell or oyster shells only with  
19 an iron circular tub having straight sides and a straight solid bottom, with holes in the  
20 bottom for draining which are no larger than 1 inch in diameter. The Department may  
21 set standards and allow other bulk containers it deems proper. Every measurement  
22 shall be taken from inside to inside. The dimensions shall be as follows:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) Half bushel tub – 15 inches across the top, 13 inches across  
2 the bottom, and 17 inches diagonally from the inside chime to the top;

3 (ii) Bushel tub – sixteen and one-half inches across the bottom,  
4 18 inches across the top, and 21 inches diagonally from the inside chime to the top;

5 (iii) Bushel and a half tub – 18 inches across the bottom, 19  
6 inches across the top, and 24 inches diagonally from the inside chime to the top; and

7 (iv) Three bushel tub – 22 inches across the bottom, 24 inches  
8 across the top, and 29.26 inches diagonally from the inside chime to the top.

9 (2) All oysters measured in the shell as required by this section shall  
10 be even measure to the top of the tub only.

11 (b) Due to the quantity of water contained in measures of newly shucked  
12 oysters, any proprietor or manager of a plant, house, or establishment shall measure  
13 oysters as received from the shuckers in a special gallon cup which contains no more  
14 than 9 pints. Any device other than this 9 pint gallon cup may not be used to measure  
15 any oysters received from shuckers. A Natural Resources police officer shall stamp  
16 every 9 pint gallon measure used in measuring newly shucked oysters. A proprietor or  
17 manager of any house, plant, or establishment which shucks oysters shall have every  
18 9 pint gallon measure stamped.

19 (c) Every shucked oyster sold in the State shall be sold by the standard  
20 United States one-half pint, pint, quart, or gallon liquid measure, or by fractions or  
21 multiples of these liquid measures.

22 **(D) (1) IN THIS SUBSECTION, “OYSTER TAG” MEANS ANY**  
23 **DEPARTMENT-ISSUED TAG THAT IS REQUIRED TO BE AFFIXED TO A CONTAINER**  
24 **OF OYSTERS BEFORE LEAVING THE BAR FROM WHICH THE OYSTERS WERE**  
25 **CAUGHT.**

26 **(2) WHENEVER THE DEPARTMENT DISTRIBUTES OYSTER TAGS**  
27 **TO AN INDIVIDUAL LICENSED TO CATCH OYSTERS, THE DEPARTMENT SHALL**  
28 **PROVIDE AT LEAST A 30-DAY SUPPLY OF TAGS.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 October 1, 2013.