

HOUSE BILL 1485

M2

(8lr2296)

ENROLLED BILL

— *Environment and Transportation/Education, Health, and Environmental Affairs* —

Introduced by **Delegate Fisher**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources – Shellfish – Harvesting by Wharf Owners**

3 FOR the purpose of altering the distance from certain piers, wharves, or other structures
4 in certain counties within which the owner has exclusive use of the area for growing
5 oysters in a certain manner; altering the manner by which oysters may be grown and
6 harvested in proximity to certain piers, wharves, or other structures; *providing that*
7 *certain oysters may not be commercially harvested, sold, or marketed for human*
8 *consumption*; making certain clarifying changes; and generally relating to the
9 harvesting of shellfish by owners of piers, wharves, or other structures.

10 BY repealing and reenacting, with amendments,
11 Article – Natural Resources
12 Section 4–11A–17
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2017 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY adding to
 2 Article – Natural Resources
 3 Section 4-11A-17.1
 4 Annotated Code of Maryland
 5 (2012 Replacement Volume and 2017 Supplement)

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

8 **Article – Natural Resources**

9 4-11A-17.

10 The owner of any **PIER**, wharf, or other structure constructed on or about the water
 11 and approved by the corps of engineers, shall have exclusive use, for the purpose of growing
 12 and harvesting shellfish, of the area:

13 (1) Below the owner's **PIER**, wharf, or structure; and

14 (2) In Calvert, Howard, St. Mary's, and Talbot counties only, within [5] **10**
 15 feet of the owner's **PIER**, wharf, or structure, **FOR** oysters grown in trays, baskets, or
 16 containers that are attached [to a private pier or wharf] by lines or ropes that are the
 17 property of the owner of the pier [or], wharf, **OR STRUCTURE TO:**

18 (I) **THE PRIVATE PIER, WHARF, OR STRUCTURE; OR**

19 (II) **ANOTHER OYSTER TRAY, BASKET, OR CONTAINER THAT IS**
 20 **ATTACHED TO THE PRIVATE PIER, WHARF, OR STRUCTURE.**

21 4-11A-17.1.

22 **OYSTERS GROWN AND HARVESTED UNDER § 4-11A-17 OF THIS SUBTITLE MAY**
 23 **NOT BE COMMERCIALY HARVESTED, SOLD, OR MARKETED FOR HUMAN**
 24 **CONSUMPTION.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
 26 1, 2018.