



Maryland Farm Bureau, Inc.

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January 20, 2021

To: House Environment & Transportation Committee

From: Maryland Farm Bureau, Inc.

Re: **Support of HB 145 - Unlawful Taking of Oysters From Submerged Land Leases, Aquaculture Leases, and Water Column Leases – Penalties**

On behalf of our member families, I submit this written testimony in support of HB 145, legislation that requires DNR to suspend a person with a tidal fish license on conviction of the license holder for oyster theft. The bill requires the convicted person who has a tidal fish license suspended under the Act to complete a class (at their own expense) provided by the department on commercial fishery laws before engaging in any commercial fishing activity under a tidal fish license. The bill prohibits a person who has a seafood dealer authorization from purchasing, offering to purchase, or possessing oysters that were unlawfully harvested from an oyster lease. The bill strengthens the penalties as well.

Several aquaculture operations have significant theft annually and, in many cases, it is very tough to catch the thieves in the act. However, when they are caught, they get minimal fines and basically a slap on the hand. Stiffer penalties need to be put in place for both the person stealing oysters and the companies that knowingly purchase the stolen oysters.

MDFB Policy: We support legislation that will strengthen laws related to theft of oysters from aquaculture operations, including enforcement of oyster theft under criminal property larceny charges and making it an automatic felony after a certain number of times being caught stealing oysters or if a certain number of bushels of oysters is reached. We also support amending the elements of the current criminal charge law to allow proof of cut buoys versus those frayed by natural causes. We recommend changes to the Natural Resources Article to include language to enforce Maryland's criminal property larceny law against not only oyster aquaculture thieves who knowingly steal from aquaculture leases, but also those who knowingly possess illegally harvested oysters.

MARYLAND FARM BUREAU SUPPORTS HB 145 AND ENCOURAGE A FAVORABLE REPORT

A handwritten signature in black ink, appearing to read "Colby Ferguson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Colby Ferguson
Director of Government Relations

For more information contact Colby Ferguson at (240) 578-0396