

Annotated Code of Maryland
(1983 Replacement Volume and 1988 Supplement)

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

Article - Natural Resources

4-1001.

(q) "Soft-shell clams" means mollusks of the species [mya] MYA arenaria AND OF THE SPECIES GENUS TAGELUS.

4-1035.

A severance tax of 35 50 cents per bushel shall be levied on all soft-shell clams OF ALL SPECIES MYA ARENARIA caught within the State. The tax shall be paid by the buyer of clams at the place in the State where the clams are to be shipped in bulk no further by vessel, or before clams are shipped out of the State by vessel. All taxes pursuant to this section shall be remitted to the Department in accordance with its rules and regulations for deposit to the credit of the Fisheries Research and Development Fund and shall be used solely to replenish the soft-shell clam resources of the State. A SEVERANCE TAX MAY NOT BE LEVIED ON SOFT-SHELL CLAMS OF THE SPECIES GENUS TAGELUS.

4-1036.

A person may sell soft-shell clams OF THE SPECIES MYA ARENARIA caught by hydraulic clam dredge only to a person possessing a soft-shell clam dealer's and shipper's license. A PERSON MAY SELL SOFT-SHELL CLAMS OF THE SPECIES GENUS TAGELUS TO PERSONS OTHER THAN A LICENSED DEALER OR SHIPPER.

4-1040.1.

From June 1 to September 14, inclusive, a person may catch soft-shell clams OF THE SPECIES MYA ARENARIA only--between one-half--hour--before--sunrise--and--1-p.m.--except--that--soft-shell clams--OF--THE--SPECIES--MYA--ARENARIA--may--be--caught--after--1-p.m.--BUT NOT LATER THAN SUNSET--if--they--are--kept--in--on--board--refrigeration--AT THE TIMES AND IN THE MANNER PRESCRIBED BY REGULATIONS ADOPTED BY THE DEPARTMENT. THE DEPARTMENT MAY CONSULT WITH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE TO ADOPT REGULATIONS NECESSARY TO ENSURE THE PROPER HANDLING OF SOFT SHELL CLAMS OF THE SPECIES MYA ARENARIA. SOFT-SHELL CLAMS OF THE SPECIES GENUS TAGELUS MAY BE CAUGHT AT ANY TIME BETWEEN ONE-HALF HOUR BEFORE SUNRISE AND SUNSET.