

WITHIN THE STATE POPULATED BY SHELLFISH INFECTED OR AFFECTED OR SUSPECTED OF BEING INFECTED OR AFFECTED BY ANY DESTRUCTIVE DISEASE, DELETERIOUS GENETIC CHARACTERISTIC, DANGEROUS PARASITE, OR OTHER BIOLOGICAL THREAT.

(B) DEPARTMENT MAY ESTABLISH PENALTY FOR VIOLATION. - THE DEPARTMENT MAY ESTABLISH BY RULES AND REGULATIONS THE PENALTY FOR VIOLATING ANY RULE OR REGULATION ADOPTED PURSUANT TO SUBSECTION (A). THE PENALTY MAY NOT EXCEED A FINE OF \$1,000, OR IMPRISONMENT FOR ONE YEAR, OR BOTH, TOGETHER WITH CONFISCATION OF ANY GEAR AND EQUIPMENT, WHETHER AFLOAT OR ASHORE, USED TO COMMIT THE VIOLATION, IN THE DISCRETION OF THE COURT.

REVISOR'S NOTE: This section presently appears as Article 66C, section 13D of the Code. It is set forth in this subtitle rather than subtitle 2 because this section pertains to a departmental authority to quarantine shellfish which inhabit tidal waters primarily. Shellfish, of course, are included within the definition of fish appearing in section 4-101(f). In subsection (a) new language is added to distinguish the authority of the Department of Natural Resources from the authority of the Department of Health and Mental Hygiene to regulate the importation of shellfish, and protect shellfish resources in order to protect consumers.

The present penalty provision is retained because it imposes a penalty greater than that of the uniform penalty provision of this title. The only other changes made are in style.

SUBTITLE 8. CRABS.

4-801. DEFINITIONS.

(A) IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: This subsection is new language which is the standard introductory sentence to a definition section.

(B) "BUCKRAM CRAB" MEANS A CRAB THAT HAS A PAPER