

FOR the purpose of repealing the provisions relating to the minimum size of surf clams; authorizing the Department of Natural Resources to establish the size limits and open and close areas for harvesting surf clams; and providing for a public hearing on such actions, except where a hearing on a substantially similar proposal has already been held in the State by a federal management agency with certain notice.

BY repealing

Article - Natural Resources
Section 4-1042
Annotated Code of Maryland
(1974 Volume and 1981 Supplement)

BY repealing and reenacting, with amendments,

Article - Natural Resources
Section 4-1043
Annotated Code of Maryland
(1974 Volume and 1981 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland read(s) as follows:

Article - Natural Resources

[4-1042.

A person may not catch or land a quantity of surf clams if, per bushel, more than 10 percent of the clams measure less than 4.5 inches along the longest axis of the shell.]

4-1043.

[For management purposes, the] THE Department may ESTABLISH SIZE LIMITS AND open and close areas for harvesting of surf clams. The Department shall publish a notice of its proposal to open or close an area OR CHANCE SIZE LIMITS at least 30 days before the effective date of the proposal and shall hold a public hearing on the proposal at least 15 days before the effective date[.] UNLESS A PUBLIC HEARING ON A SUBSTANTIALLY SIMILAR PROPOSAL HAS BEEN CONDUCTED IN THE STATE BY A FEDERAL MANAGEMENT AUTHORITY WITH NOTICE ADVERTISED BY THE DEPARTMENT AS REQUIRED BY THIS SECTION. The notice shall include the time and place of [the] ANY hearing and shall be published in at least one newspaper of general circulation in the State and at least one newspaper of general circulation in Worcester County.