

CHAPTER 343

(Senate Bill 450)

AN ACT concerning

Oysters and Clams - Tongs

FOR the purpose of redefining the term "tong" to include certain power assisted tongs within its provisions; including shaft tongs and hand tongs in the definition of "tong"; making stylistic changes; and generally relating to the revision of the term "tong" for a certain purpose.

BY repealing and reenacting, with amendments,

Article - Natural Resources
Section 4-1001(r)
Annotated Code of Maryland
(1974 Volume and 1982 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.

(r) (1) "Tong" means any pincers, nippers, tongs, or similar device [operated entirely by hand and] USED IN CATCHING OYSTERS AND CLAMS AND consisting of [two] 2 shafts or handles and a metal body composed of [two] 2 opposable and complementary baskets [used in catching oysters and clams] THAT:

(I) ARE OPENED, CLOSED, AND EMPTIED ENTIRELY BY HAND; AND

(II) 1. ARE LIFTED BY HAND; OR

2. MAY USE POWER TO ASSIST LIFTING THE TONGS WITH A SINGLE LIFTING CABLE OR ROPE ATTACHED AT ONLY A SINGLE POINT ON 1 SHAFT OF THE TONGS AND MAY BE RIGGED SO THAT LIFTING OF THE TONGS CAN BE ASSISTED NO HIGHER THAN THE SURFACE OF THE WATER.

(2) "TONG" INCLUDES:

(I) SHAFT TONGS; AND

(II) HAND TONGS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1983.