

CHAPTER 68

(House Bill 1536)

AN ACT concerning

Culling Standards for Imported Oysters

FOR the purpose of authorizing the importation, possession, and sale in Maryland of any oysters that have been legally harvested in another state; making this Act an emergency measure; providing for the termination of this Act; and generally relating to culling standards for imported oysters.

BY repealing and reenacting, with amendments,

Article - Natural Resources

Section 4-1015(d)

Annotated Code of Maryland

(1989 Replacement Volume and 1992 Supplement)

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

Article - Natural Resources

4-1015.

(d) The provisions of this subtitle relating to the inspection and culling of oysters and the imposition of penalties for any violation of the cull law apply to oysters in the shell found anywhere within the State, whether afloat or ashore, and whether said oysters have been caught within the waters of the State or shipped or brought into the State. However, oysters containing more than 5 percent shells or small oysters legally taken from [privately owned] beds outside the State may be admitted if:

(1) Inspected by the Department prior to storage in a shucking house; and

(2) Accompanied by a bill of sale or bill of lading issued by the [private planters] PERSON selling the cargo or an appropriate certificate from the authorities of the state of origin, certifying that the cargo was caught from [privately owned] oyster beds in the state of origin and that the oysters were caught in full compliance with the laws of that state.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted. It shall remain effective until July 1, 1994, and, on that date with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved April 13, 1993.