

(9) "State of nuisance" means a condition in which a nuisance organism will foreseeably alter and threaten to harm the ecosystem or the abundance and diversity of native or naturalized fish and other organisms.

(b) (1) Except as provided under paragraph (2) of this subsection, the Secretary may adopt regulations to:

(I) [prohibit] **PROHIBIT** the importation, possession, or introduction into State waters of a nonnative aquatic organism in order to prevent an adverse impact on an aquatic ecosystem or the productivity of State waters; **AND**

(II) ~~REQUIRE~~ **MANAGE** THE SALE, TRANSPORT, PURCHASE, IMPORTATION, POSSESSION, HARVEST, SEASON, SIZE LIMITS, OPEN AREA, CATCH DEVICES, AND INTRODUCTION OF NUISANCE ORGANISMS.

(2) The provisions of this section do not apply to:

(i) An aquaculture operation for which the Department has issued a permit under Subtitle 11A of this title; ~~or~~

(ii) The possession, importation, or transport of a nonnative aquatic organism for purposes related to a permitted aquaculture operation; OR

(III) A PERSON THAT HAS A VALID NURSERY INSPECTION CERTIFICATE OR PLANT DEALER LICENSE ISSUED IN ACCORDANCE WITH TITLE 5, SUBTITLE 3 OF THE AGRICULTURE ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2008.

Approved by the Governor, April 24, 2008.

CHAPTER 285

(House Bill 638)

AN ACT concerning

Western Maryland Code Counties – Junkyard Abatement – Liens on Property