

AN ACT concerning

Oyster Culling

FOR the purpose of requiring the Department of Natural Resources to ascertain the percentage of certain oysters taken from the waters of this State by a random sample; removing a prohibition against possessing a certain number of market oysters per bushel with undersized oysters attached; and permitting the possession of marketable oysters with certain oysters attached that cannot be separated from the marketable oyster without destroying them.

BY repealing and reenacting, with amendments,

Article - Natural Resources
Section 4-1015(b)
Annotated Code of Maryland
(1974 Volume and 1979 Supplement)

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 BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Natural Resources

4-1015.

(b) After culling and placing in the hold or bottom of a boat, a person's possession of oysters may not include a combined total of more than 5 percent of oysters which measure less than 3 inches from hinge to bill, and cultch consisting of shells, stones, gravel, and slag. In ascertaining this percentage the Department shall select BY RANDOM SAMPLE an amount of oysters from any pile, hold, bin, house, or place as deemed proper and require it to be culled and disposed of, as provided by this section. All small oysters and cultch that adhere to marketable oysters shall be separated, and the marketable oysters shall be excluded from any measurement of small oysters and cultch. However, a person may [not] possess [more than 10] marketable oysters [per bushel] that have undersized oysters or spat LESS THAN 1 INCH IN LENGTH FROM HINGE TO BILL attached to them that cannot be separated without destroying the small oyster.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1980.

Approved May 6, 1980.
