

SENATE BILL 145

M2

EMERGENCY BILL

9lr0862
CF HB 1

By: **Senators Klausmeier, Elfreth, Jennings, Kelley, Lam, Nathan-Pulliam, Salling, West, and Zirkin**

Introduced and read first time: January 21, 2019

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Prohibition on Dredging Buried Oyster Shells on**
3 **Man-O-War Shoals**

4 FOR the purpose of prohibiting the Department of Natural Resources from dredging buried
5 oyster shells on certain shoals as part of carrying out certain duties; making this Act
6 an emergency measure; and generally relating to the management of the State's
7 oyster culture by the Department of Natural Resources.

8 BY repealing and reenacting, with amendments,
9 Article – Natural Resources
10 Section 4–1103(a)
11 Annotated Code of Maryland
12 (2018 Replacement Volume)

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

15 **Article – Natural Resources**

16 4–1103.

17 (a) **(1)** [The] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
18 **SUBSECTION, THE** Department shall take measures which in its judgment seem best
19 calculated to increase the productivity or utility of oyster resources in the State, including:

20 [(1)] **(I)** Identifying and using effective methods of cleaning diseased
21 oyster bars;

22 [(2)] **(II)** Providing clean shell for the bars;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 [(3)] (III) Using hatchery produced oysters to replant sites; and

2 [(4)] (IV) Applying for a permit to dredge buried oyster shells.

3 **(2) IN CARRYING OUT THE REQUIREMENTS OF PARAGRAPH (1) OF**
4 **THIS SUBSECTION, THE DEPARTMENT MAY NOT DREDGE BURIED OYSTER SHELLS**
5 **ON MAN-O-WAR SHOALS.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
7 measure, is necessary for the immediate preservation of the public health or safety, has
8 been passed by a yea and nay vote supported by three-fifths of all the members elected to
9 each of the two Houses of the General Assembly, and shall take effect from the date it is
10 enacted.