

HOUSE BILL 1274

M2

5lr3091

By: **Delegate Jacobs**

Introduced and read first time: March 9, 2015

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Oysters and Clams – Dredging by Auxiliary Yawl – Authorized Vessels**

3 FOR the purpose of establishing certain standards for certain dredge boats that harvest
4 oysters or clams while propelled by an auxiliary yawl boat; making certain stylistic
5 changes; making a certain technical correction; and generally relating to standards
6 for oyster and clam dredge boats propelled by an auxiliary yawl boat.

7 BY repealing and reenacting, with amendments,

8 Article – Natural Resources

9 Section 4–1013(c)

10 Annotated Code of Maryland

11 (2012 Replacement Volume and 2014 Supplement)

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

14 **Article – Natural Resources**

15 4–1013.

16 (c) **(1)** The owner, captain, master, or any crew member of any boat capable of
17 self-propulsion by any motor, turbine, or other engine attached to the boat, may not have
18 on board the boat, or in tow, or permit on board or in tow, any scoop, handscrape, dredge,
19 or similar instrument used in dredging, or any winch, spool, winder, or other tackle used
20 in dredging, unless the boat is permitted by the Department to dredge on leased land, or is
21 engaged in taking seed oysters under the surveillance and with the permission of the
22 Department.

23 **(2) (I)** Notwithstanding any other provisions of this subtitle, the
24 Department may designate by [rule or] regulation a period of time not to exceed 3 days in

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 any one week during which dredge boats licensed under [the provisions of] this subtitle
2 may be propelled by means of the auxiliary yawl boat carried on the dredge boat in the
3 waters of the Chesapeake Bay.

4 **(II) A DREDGE BOAT PROPELLED BY AN AUXILIARY YAWL BOAT**
5 **UNDER THIS PARAGRAPH:**

6 **1. SHALL BE A FUNCTIONAL SAILING VESSEL USED TO**
7 **CATCH OYSTERS OR CLAMS BY DREDGE;**

8 **2. SHALL BE BUILT IN THE STYLE OF A TRADITIONAL**
9 **CHESAPEAKE BAY BUGEYE, SCHOONER, OR SKIPJACK;**

10 **3. SHALL USE A SAILING RIG COMPRISED OF AT LEAST**
11 **ONE MAST AND ONE BOOM CAPABLE OF HOLDING SAILS AND CONFIGURED FOR**
12 **SAILING;**

13 **4. SHALL INCLUDE A SET OF DAVITS CAPABLE OF**
14 **REMOVING AN AUXILIARY YAWL BOAT FROM THE WATER;**

15 **5. MAY NOT HAVE A SCREW, A PROPELLER, AN ENGINE,**
16 **A TURBINE, OR ANY OTHER DEVICE FOR SELF-PROPULSION DURING DREDGING; AND**

17 **6. SHALL HAVE A CURRENT UNITED STATES COAST**
18 **GUARD SAFETY CHECK DECAL.**

19 **(3)** The Department may prescribe the maximum daily **HARVEST** limit on
20 any day.

21 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect
22 **October 1, 2015.**