By: Delegate Lafferty
Requested: November 16, 2018
Introduced and read first time: January 9, 2019
Assigned to: Environment and Transportation

A BILL ENTITLED

AN ACT concerning

Natural Resources – Prohibition on Dredging Buried Oyster Shells on Man–O–War Shoals

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

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

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

Article – Natural Resources

4–1103.

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

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

[(2)] (II) Providing clean shell for the bars;
(3) Using hatchery produced oysters to replant sites; and

(4) Applying for a permit to dredge buried oyster shells.

IN CARRYING OUT THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT MAY NOT DREDGE BURIED OYSTER SHELLS ON MAN–O–WAR SHOALS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or 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.