

# HOUSE BILL 54

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By: **Chair, Environment and Transportation Committee (By Request –  
Departmental – Natural Resources)**

Introduced and read first time: January 14, 2019

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Lands Formed by Excavation Materials – Transfer of**  
3 **Authority**

4 FOR the purpose of transferring the use, management, and, subject to Board of Public  
5 Works approval, ownership of certain lands created or formed by excavation  
6 materials in Sinepuxent, Isle of Wight, and Chincoteague bays from the Department  
7 of the Environment to the Department of Natural Resources; repealing certain  
8 approval authority of the Board over the use and management of certain lands  
9 created or formed by excavation materials in Sinepuxent, Isle of Wight, and  
10 Chincoteague bays; and generally relating to the use, management, and ownership  
11 of certain lands created or formed by excavation materials in Sinepuxent, Isle of  
12 Wight, and Chincoteague bays.

13 BY transferring

14 Article – Environment

15 Section 16–401 through 16–403, respectively, and the subtitle “Subtitle 4. Lands  
16 Formed by Channel Excavation in Sinepuxent, Isle of Wight, and  
17 Chincoteague Bays”

18 Annotated Code of Maryland

19 (2014 Replacement Volume and 2018 Supplement)

20 to be

21 Article – Natural Resources

22 Section 5–10A–01 through 5–10A–03, respectively, and the subtitle “Subtitle 10A.  
23 Lands Formed by Channel Excavation in Sinepuxent, Isle of Wight, and  
24 Chincoteague Bays”

25 Annotated Code of Maryland

26 (2018 Replacement Volume)

27 BY repealing and reenacting, with amendments,

28 Article – Natural Resources

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 5–10A–02 and 5–10A–03  
2 Annotated Code of Maryland  
3 (2018 Replacement Volume)  
4 (As enacted by Section 1 of this Act)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
6 That Section(s) 16–401 through 16–403, respectively, and the subtitle “Subtitle 4. Lands  
7 Formed by Channel Excavation in Sinepuxent, Isle of Wight, and Chincoteague Bays” of  
8 Article – Environment of the Annotated Code of Maryland be transferred to be Section(s)  
9 5–10A–01 through 5–10A–03, respectively, and the subtitle “Subtitle 10A. Lands Formed  
10 by Channel Excavation in Sinepuxent, Isle of Wight, and Chincoteague Bays” of  
11 Article – Natural Resources of the Annotated Code of Maryland.

12 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
13 as follows:

14 **Article – Natural Resources**

15 5–10A–02.

16 (a) Any island created or formed within the confines of Sinepuxent, Isle of Wight,  
17 or Chincoteague Bay by the dumping or depositing of excavated material from dredging or  
18 any other artificial means employed by the State or the United States or both during the  
19 construction or maintenance of the Ocean City inlet and the channel in the bays, together  
20 with any accretion to any of those islands, in the past or future, are natural resources of  
21 the State and, **SUBJECT TO BOARD OF PUBLIC WORKS APPROVAL**, title to them is  
22 retained for the use of the Department.

23 (b) The Commissioner of Land Patents may not issue any patent for land created  
24 in the Chincoteague, Isle of Wight, or Sinepuxent Bay.

25 5–10A–03.

26 [Subject to the approval of the Board, the] **THE** Department may use the land  
27 described in this subtitle for conservation purposes in the manner and under the  
28 regulations the Department deems in the best interest of the State. However, any person  
29 who may lawfully hunt or fish in Worcester County may hunt or fish on these lands during  
30 the open season for hunting or fishing.

31 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 October 1, 2019.