

---

By: **Delegate Wood**  
Introduced and read first time: February 16, 1999  
Assigned to: Rules and Executive Nominations

---

A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's County - Oysters**

3 FOR the purpose of allowing certain persons to catch oysters by power dredge in  
4 certain waters contiguous to St. Mary's County under a certain license issued by  
5 the Department of Natural Resources; requiring the Department to issue  
6 certain licenses and adopt certain regulations relating to oyster catching by  
7 power dredge in certain waters; establishing certain restrictions pertaining to  
8 oyster catching by power dredge in certain waters; providing for the  
9 establishment of an oyster sanctuary; and generally relating to the catching of  
10 oysters in waters contiguous to St. Mary's County.

11 BY adding to  
12 Article - Natural Resources  
13 Section 4-1014.1  
14 Annotated Code of Maryland  
15 (1997 Replacement Volume and 1998 Supplement)

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

18 **Article - Natural Resources**

19 4-1014.1.

20 (A) THIS SECTION APPLIES TO THE WATERS OF THE STATE IN AND LYING  
21 CONTIGUOUS TO ST. MARY'S COUNTY IN THE CHESAPEAKE BAY.

22 (B) EXCEPT FOR A PERSON WHO HOLDS A DREDGE BOAT LICENSE FROM THE  
23 DEPARTMENT AND CATCHES OYSTERS UNDER § 4-1013 OF THIS SUBTITLE, A PERSON  
24 SHALL BE LICENSED BY THE DEPARTMENT BEFORE THE PERSON MAY CATCH  
25 OYSTERS BY POWER DREDGE IN WATERS SUBJECT TO THIS SECTION.

26 (C) (1) A PERSON MAY NOT HOLD AN OYSTER HARVESTER LICENSE AND A  
27 POWER DREDGING LICENSE SIMULTANEOUSLY.

28 (2) THE DEPARTMENT:

1 (I) MAY ISSUE A POWER DREDGING LICENSE ONLY TO THE  
2 HOLDER OF AN OYSTER HARVESTER LICENSE; AND

3 (II) SHALL SUSPEND A PERSON'S OYSTER HARVESTER LICENSE ON  
4 ISSUANCE OF A POWER DREDGING LICENSE UNTIL THE HOLDER SURRENDERS THE  
5 POWER DREDGING LICENSE TO THE DEPARTMENT.

6 (3) (I) IF A PERSON WISHES TO RECOVER THE PERSON'S PREVIOUSLY  
7 VALID OYSTER HARVESTER LICENSE, THE PERSON SHALL RETURN THE PERSON'S  
8 CURRENTLY VALID POWER DREDGING LICENSE TO THE DEPARTMENT.

9 (II) ON RECEIPT OF THE POWER DREDGING LICENSE, THE  
10 DEPARTMENT SHALL:

11 1. EXCHANGE THE POWER DREDGING LICENSE FOR THE  
12 PERSON'S FORMER OYSTER HARVESTER LICENSE AT NO COST; AND

13 2. VALIDATE THE OYSTER HARVESTER LICENSE FOR  
14 CURRENT USE.

15 (D) A PERSON MAY CATCH OYSTERS BY POWER DREDGE ONLY DURING THE  
16 POWER DREDGING SEASON FROM NOVEMBER 1 TO MARCH 15 IN THE WATERS OF THE  
17 STATE CONTIGUOUS TO ST. MARY'S COUNTY, BEGINNING AT POINT LOOKOUT AND  
18 EXTENDING IN A NORTHERLY DIRECTION ALONG THE BAY FRONT SHORELINE TO  
19 CEDAR POINT, THEN NORTHEASTERLY ALONG A STRAIGHT LINE TO THE FLASHING  
20 GREEN FOUR SECOND BELL BUOY, THEN CONTINUING NORTHEASTERLY ALONG A  
21 STRAIGHT LINE TO THE RED AND WHITE MID-CHANNEL BUOY, THEN ALONG A  
22 STRAIGHT LINE SOUTHEASTERLY TO THE NUMBER 72 FLASHING RED TWO AND A  
23 HALF SECOND BELL BUOY, THEN SOUTHERLY ALONG A STRAIGHT LINE TO THE  
24 NUMBER 70 FLASHING RED FOUR SECOND BELL BUOY, AND THEN EXTENDING  
25 WESTERLY ALONG A STRAIGHT LINE BACK TO THE POINT OF BEGINNING.

26 (E) (1) NOTWITHSTANDING THE PROVISIONS OF § 4-1008(A) OF THIS  
27 SUBTITLE, A PERSON MAY NOT CATCH OYSTERS UNDER A POWER DREDGING  
28 LICENSE:

29 (I) ON SATURDAY OR SUNDAY; OR

30 (II) BEFORE SUNRISE OR AFTER 3:00 P.M. ON ANY DAY MONDAY  
31 THROUGH FRIDAY.

32 (2) IN ADDITION TO THE PROVISIONS OF § 4-1013(E) AND (F) OF THIS  
33 SUBTITLE, A PERSON WHO HOLDS A POWER DREDGING LICENSE UNDER THIS  
34 SECTION:

35 (I) HAS A LIMIT OF 12 BUSHELS FOR EACH PERSON OR 24 BUSHELS  
36 PER BOAT, WITH A LIMIT OF TWO LICENSED POWER DREDGERS PER BOAT; AND

37 (II) MAY USE ONLY A POWER DREDGE BAR OF AT LEAST 36 INCHES  
38 AND NOT EXCEEDING 42 INCHES.

1 (F) (1) THE SECRETARY SHALL ADOPT REGULATIONS TO IMPLEMENT THIS  
2 SECTION.

3 (2) THE REGULATIONS SHALL PROVIDE FOR THE ESTABLISHMENT OF  
4 AN OYSTER SANCTUARY OF AT LEAST 100 ACRES WITHIN THE AREA DESCRIBED IN  
5 SUBSECTION (D) OF THIS SECTION. POWER DREDGING FOR OYSTERS SHALL BE  
6 PROHIBITED IN THE OYSTER SANCTUARY.

7 (3) THE REGULATIONS MAY VARY THE LIMITS ESTABLISHED UNDER  
8 SUBSECTION (E)(2)(I) OF THIS SECTION.

9 (4) IN ACCORDANCE WITH REGULATIONS ADOPTED UNDER PARAGRAPH  
10 (1) OF THIS SUBSECTION, THE DEPARTMENT MAY PURCHASE OYSTERS AT MARKET  
11 PRICE FROM A PERSON WHO HAS A POWER DREDGING LICENSE UNDER THIS  
12 SECTION TO BE TRANSPLANTED FOR RESTORATION PURPOSES TO THE OYSTER  
13 SANCTUARY REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 June 1, 1999.