

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE
Revised

House Bill 275 (Delegates O'Donnell and Owings)

Environmental Matters

Calvert County - Oysters

This bill allows a person to catch oysters with a power dredge in State waters in and contiguous to Calvert County in the Chesapeake Bay. A power dredge license may only be issued to the holder of an oyster harvester license; the Department of Natural Resources (DNR) must suspend the harvester license for the duration of the dredging license. Power dredging may only occur in zones that are established by DNR by regulation during the power dredging season from November 1 to March 30, and is prohibited on Saturday or Sunday, before sunrise or after 3:00 p.m. on any other day, or in any area closed to hydraulic clam dredging.

The bill limits a power dredging licensee to 12 bushels per person, or 24 bushels per boat. Power dredge bars are limited in size to a minimum of 36 inches and a maximum of 42 inches. DNR is authorized to adopt regulations to implement the provisions of the bill. The bill also establishes an oyster sanctuary of not less than 100 acres in the vicinity of Plum Point in the waters of Calvert County. Power dredging is prohibited in the oyster sanctuary. The bill also authorizes DNR to establish a program at the beginning of the power dredging season to purchase oysters at no less than market price from persons who have a power dredge license to be transplanted for restoration purposes in the oyster sanctuary established by the bill. DNR must establish by regulation an appropriate penalty to be assessed against a person taking oysters from the sanctuary or reserved area. Finally, DNR is required to conduct a study of the impact of power dredging and report to the General Assembly by January 1, 2000.

The bill takes effect June 1, 1999 and sunsets May 31, 2004, except for the provision that establishes the oyster sanctuary.

Fiscal Summary

State Effect: General fund expenditure increase of \$34,500 annually beginning in FY 2000. Potential minimal fine revenue increase.

(in dollars)	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
GF Revenues	-	-	-	-	-
GF Expenditures	\$34,500	\$34,500	\$34,500	\$34,500	\$34,500
Net Effect	(\$34,500)	(\$34,500)	(\$34,500)	(\$34,500)	(\$34,500)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: Minimal.

Fiscal Analysis

State Effect: The Department of Natural Resources reports that existing Natural Resources Police (NRP) resources would be used to carry the provisions of the bill. However, patrolling the areas that are designated for power dredging as well as the oyster sanctuary established by the bill would require additional NRP time. Accordingly, overtime and costs associated with increased patrol boat operation would increase by approximately \$28,960. In addition, the NRP Hydrographic Section each year would need to place nine buoys delineating the dredging areas and sanctuary at a cost of \$3,554. In addition, the department will commit to spend approximately \$2,000 each year to purchase oysters for the development of the oyster population in the sanctuary. As a result, total fiscal 2000 expenditures would increase by approximately \$34,514. The study required by the bill could be conducted with DNR's existing budgeted resources.

The bill requires DNR to adopt penalties for catching oysters in the sanctuary. To the extent that DNR levies monetary penalties on violators, general fund revenues could increase. Any such increase is assumed to be minimal.

Information Source(s): Department of Natural Resources, Department of Legislative Services

Fiscal Note History: First Reader - February 11, 1999
mld/jr Revised - House Third Reader - March 19, 1999
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