

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE
Revised

House Bill 308

(Delegate Elmore, *et al.*)

Environmental Matters

Education, Health, and Environmental Affairs

Natural Resources - Oysters - Dredge Devices

This bill repeals a prohibition relating to the types of devices that may be used on oyster dredge boats. Specifically, the bill repeals the prohibition that a captain or any other person may not possess or use a “devil catcher” or “devil diver,” or similar device, on any dredge boat to be attached to the dredge for steering it to the bottom. The bill also requires the Department of Natural Resources (DNR) to report on the environmental impacts of the use of these devices by September 30, 2007.

The bill sunsets September 30, 2007.

Fiscal Summary

State Effect: The bill would not materially affect State operations or finances.

Local Effect: The bill would not materially affect local operations or finances.

Small Business Effect: None.

Analysis

Current Law: DNR regulates oyster harvesting in State waters. A person may not catch oysters in the waters of the State or possess any scoop, dredge, handscrape, or similar instrument having a tooth bar more than 42 inches in length on rock bottoms or 44 inches in length on mud bottoms, or of a weight exceeding 200 pounds. The captain or any other person may not possess or use a “devil catcher” or “devil diver,” or similar device, on any dredge boat to be attached to the dredge for steering it to the bottom.

Background: A “devil diver” is a metal plate attached to a dredge at an angle so that, as the dredge is pulled through the water, water pressure directs the dredge downward, and, once on the bottom, keeps the dredge down to catch oysters. The plate encourages the dredge to follow the contours of the bottom, thereby making the dredge easier to use. The plate also directs the dredge to the bottom more quickly, allowing the dredge to be used in deeper water. DNR advises, however, that the use of a devil diver does not increase the harvest of oysters.

The use of devil divers was prohibited by Chapter 475 of 1927.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - February 6, 2004
ncs/ljm Revised - Enrolled Bill - May 5, 2004

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