

# HOUSE BILL 630

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By: **Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)**

Introduced and read first time: February 1, 2008

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Department of Natural Resources – Nonnative Nuisance and Naturalized**  
3 **Organisms – Regulatory Management Authority**

4 FOR the purpose of authorizing the Secretary of the Department of Natural Resources  
5 to adopt regulations to manage certain nonnative nuisance or naturalized  
6 organisms in the State, subject to certain exceptions; and generally relating to  
7 nonnative nuisance organisms.

8 BY repealing and reenacting, with amendments,  
9 Article – Natural Resources  
10 Section 4–205.1(a) and (b)  
11 Annotated Code of Maryland  
12 (2005 Replacement Volume and 2007 Supplement)

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

15 **Article – Natural Resources**

16 4–205.1.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) “Aquatic organism” means an organism that lives part of its life in  
19 water.

20 (3) “Ecosystem” means a system of living organisms and their  
21 environment, each influencing the life of the other and necessary for the maintenance  
22 of life.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) "Introduction into State waters" includes use of an organism as  
2 bait in the waters of the State.

3 (5) "Native" means having historically lived, grown, and reproduced in  
4 State waters.

5 (6) "Naturalized" means documented as having lived, grown, and  
6 reproduced in State waters for more than 10 years without known harm to the  
7 ecosystem.

8 (7) "Nonnative" means other than native or naturalized.

9 (8) "Nuisance organism" means a nonnative **OR NATURALIZED**  
10 aquatic organism that will foreseeably alter and threaten to harm the ecosystem or the  
11 abundance and diversity of native or naturalized fish and other organisms.

12 (9) "State of nuisance" means a condition in which a nuisance  
13 organism will foreseeably alter and threaten to harm the ecosystem or the abundance  
14 and diversity of native or naturalized fish and other organisms.

15 (b) (1) Except as provided under paragraph (2) of this subsection, the  
16 Secretary may adopt regulations to:

17 (I) [~~prohibit~~] **PROHIBIT** the importation, possession, or  
18 introduction into State waters of a nonnative aquatic organism in order to prevent an  
19 adverse impact on an aquatic ecosystem or the productivity of State waters; **AND**

20 (II) **REQUIRE THE SALE, TRANSPORT, PURCHASE,**  
21 **IMPORTATION, POSSESSION, HARVEST, SEASON, SIZE LIMITS, OPEN AREA,**  
22 **CATCH DEVICES, AND INTRODUCTION OF NUISANCE ORGANISMS.**

23 (2) The provisions of this section do not apply to:

24 (i) An aquaculture operation for which the Department has  
25 issued a permit under Subtitle 11A of this title; or

26 (ii) The possession, importation, or transport of a nonnative  
27 aquatic organism for purposes related to a permitted aquaculture operation.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 July 1, 2008.