

SENATE BILL 222

M2

EMERGENCY BILL

0lr1503

By: **Senator Colburn**

Introduced and read first time: January 21, 2010

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Oyster Sanctuaries – Authority to Designate**

3 FOR the purpose of requiring the Department of Natural Resources to designate the
4 location of oyster sanctuaries in State waters by statute; prohibiting the
5 Department from designating the location of oyster sanctuaries in State waters
6 by regulation; making this Act an emergency measure; and generally relating to
7 the authority of the Department to designate the location of oyster sanctuaries
8 in State waters.

9 BY adding to
10 Article – Natural Resources
11 Section 4–11A–23
12 Annotated Code of Maryland
13 (2005 Replacement Volume and 2009 Supplement)

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

16 **Article – Natural Resources**

17 **4–11A–23.**

18 **NOTWITHSTANDING ANY OTHER PROVISION OF LAW UNDER THIS TITLE**
19 **AUTHORIZING THE DEPARTMENT TO ADOPT REGULATIONS TO DESIGNATE THE**
20 **LOCATION OF OYSTER SANCTUARIES IN STATE WATERS, THE DEPARTMENT:**

21 **(1) SHALL DESIGNATE THE LOCATION OF OYSTER SANCTUARIES**
22 **IN STATE WATERS BY STATUTE; AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) MAY NOT DESIGNATE THE LOCATION OF OYSTER**
2 **SANCTUARIES IN STATE WATERS BY REGULATION.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
4 measure, is necessary for the immediate preservation of the public health or safety,
5 has been passed by a ye and nay vote supported by three-fifths of all the members
6 elected to each of the two Houses of the General Assembly, and shall take effect from
7 the date it is enacted.