

HOUSE BILL 1155

M2

4r1065
CF SB 466

By: **Delegates Jacobs, Arentz, Eckardt, Haddaway–Riccio, Norman, Otto, Smigiel, and Weir**

Introduced and read first time: February 7, 2014

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Oyster Dredging – Waters North of the Chesapeake Bay Bridge and Kent**
3 **Narrows Bridge**

4 FOR the purpose of authorizing a person to catch oysters by dredge in certain waters
5 of the Chesapeake Bay north of the Chesapeake Bay Bridge and the Kent
6 Narrows Bridge; making a stylistic change; and generally relating to oyster
7 dredging in the Chesapeake Bay.

8 BY repealing and reenacting, with amendments,
9 Article – Natural Resources
10 Section 4–1012
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2013 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 4–1012.

17 **(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A PERSON MAY**
18 **CATCH OYSTERS BY DREDGE IN THE WATERS NORTH OF THE CHESAPEAKE BAY**
19 **BRIDGE AND THE KENT NARROWS BRIDGE.**

20 **[(a)] (B)** A person may not catch oysters by dredge in the Atlantic Coastal
21 Bays, as defined in § 8–1802 of this article, or in the following areas of the Chesapeake
22 Bay: the area bounded by a line drawn from Lowes Point towards the Bloody Point
23 Lighthouse for a distance of 1.8 miles, and then direct to North Point on Poplar Island;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 then southerly around the westerly shore of Poplar Island to the southwesterly most
2 point; then running in a straight line to the Department marker on the northern shore
3 of Pawpaw Cove which area shall be reserved for catching of oysters with shaft tongs
4 only; all the area lying within one-fourth mile of the western shore of Poplar Island;
5 all the area within one-half mile of Plum Point; all the area within one and one-half
6 miles of Sandy Point, Hackett Point, Tolly Point, and Thomas Point within Anne
7 Arundel County waters; and the following oyster bars: 2-9, 2-10, 5-1, 5-2, 5-3A,
8 5-3B, 8-2, 8-6, and 8-9, as defined by the charts of the Oyster Survey of 1906 to 1912,
9 and its amendments.

10 **[(b)] (C)** Any boat sailing over any areas of the State which are exempt from
11 dredging, by this subtitle or by rule or regulation of the Department, with any dredge,
12 scrape, scoop, or similar instrument on board or in tow, may be apprehended by any
13 Natural Resources police officer or any other law enforcement officer. If the boat has
14 on board any wet oysters, dredge, or dredge line, or if the deck is wet and the boat is
15 equipped for catching oysters with dredge or similar instrument, these facts shall be
16 prima facie evidence that the boat has been used to violate **[the provisions of]** this
17 section.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2014.