

# HOUSE BILL 1205

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By: **Delegates Jacobs, Arentz, and Otto**

Introduced and read first time: February 12, 2016

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Oyster Advisory Commission – Membership and Appointments**

3 FOR the purpose of altering the membership and appointment authority for the Oyster  
4 Advisory Commission in the Department of Natural Resources.

5 BY repealing and reenacting, with amendments,  
6 Article – Natural Resources  
7 Section 4–204(c)  
8 Annotated Code of Maryland  
9 (2012 Replacement Volume and 2015 Supplement)

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

12 **Article – Natural Resources**

13 4–204.

14 (c) (1) There is an Oyster Advisory Commission in the Department.

15 (2) The Commission consists of **THE FOLLOWING** members [appointed by  
16 the Secretary]:

17 **(I) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED**  
18 **BY THE PRESIDENT OF THE SENATE;**

19 **(II) ONE MEMBER OF THE MARYLAND HOUSE OF DELEGATES,**  
20 **APPOINTED BY THE SPEAKER OF THE HOUSE;**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (III) ONE MEMBER OF THE MARYLAND WATERMEN'S  
2 ASSOCIATION, APPOINTED BY THE PRESIDENT OF THE ASSOCIATION;

3 (IV) ONE MEMBER OF THE CHESAPEAKE BAY COMMERCIAL  
4 FISHERMEN'S ASSOCIATION, APPOINTED BY THE PRESIDENT OF THE ASSOCIATION;

5 (V) ONE MEMBER OF THE MARYLAND OYSTERMEN  
6 ASSOCIATION, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE ASSOCIATION;  
7 AND

8 (VI) 16 MEMBERS APPOINTED BY THE SECRETARY, EIGHT OF  
9 WHOM SHALL BE COMMERCIAL WATERMEN WHO ARE AUTHORIZED TO CATCH  
10 OYSTERS IN THE STATE.

11 (3) The Commission shall:

12 (i) Provide the Department with advice on matters related to  
13 oysters in the Chesapeake Bay;

14 (ii) Review the best possible science and recommend changes to the  
15 framework and strategies for rebuilding and managing the oyster population in the  
16 Chesapeake Bay under the Chesapeake Bay Oyster Management Plan;

17 (iii) Review the latest findings relevant to the Environmental Impact  
18 Statement evaluating oyster restoration alternatives for the Chesapeake Bay;

19 (iv) Review any other scientific, economic, or cultural information  
20 relevant to oysters in the Chesapeake Bay; and

21 (v) By December 31, 2007 and to the extent reasonably appropriate,  
22 report to the Governor and, in accordance with § 2-1246 of the State Government Article,  
23 the General Assembly on:

24 1. Strategies to minimize the impact of oyster disease,  
25 including the State repletion program and bar cleaning;

26 2. The framework and effectiveness of the oyster sanctuary,  
27 harvest reserve, and repletion programs, and the overall management of natural oyster  
28 bars, after performing a cost-benefit analysis that considers biological, ecological,  
29 economic, and cultural issues;

30 3. Strategies to maximize the ecological benefits of natural  
31 oyster bars; and

32 4. Strategies to improve enforcement of closed oyster areas.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2016.