SENATE BILL 437

By: Baltimore County Senators
Introduced and read first time: January 27, 2020
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

AN ACT concerning

Prohibition of Dredging on Man–O–War Shoals

For the purpose of prohibiting the Department of Natural Resources from including the dredging of buried oyster shells on certain shoals as part of a fishery management plan; prohibiting the Department from dredging buried oyster shells on certain shoals; and generally relating to the management of the State’s oyster culture by the Department of Natural Resources.

BY repealing and reenacting, without amendments,

Article – Natural Resources
Section 4–215(b)(6)
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

BY adding to

Article – Natural Resources
Section 4–215(e)(4)
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 4–1103(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

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

Article – Natural Resources

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
(b) The Department shall prepare fishery management plans for the following species:

(6) Oysters;

(e) (4) IN ACCORDANCE WITH § 4–1103 OF THIS TITLE, THE DEPARTMENT MAY NOT INCLUDE THE DREDGING OF BURIED OYSTER SHELLS ON MAN–O–WAR SHOALS AS PART OF A FISHERY MANAGEMENT PLAN.

4–1103.

(a) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE Department shall take measures which in its judgment seem best calculated to increase the productivity or utility of oyster resources in the State, including:

[(1)] (I) Identifying and using effective methods of cleaning diseased oyster bars;

[(2)] (II) Providing clean shell for the bars;

[(3)] (III) Using hatchery produced oysters to replant sites; and

[(4)] (IV) Applying for a permit to dredge buried oyster shells.

(2) THE DEPARTMENT MAY NOT DREDGE BURIED OYSTER SHELLS ON MAN–O–WAR SHOALS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2020.