

CHAPTER 614

(House Bill 404)

AN ACT concerning

Oyster Cultivation - Leased Oyster Bottoms
- Issuing or Renewing Previously Existing Leases

FOR the purpose of authorizing the Department of Natural Resources to issue or renew the lease for certain previously existing leases of leased oyster bottoms used for oyster cultivation under certain conditions; legitimating the effectiveness of certain previously existing leases of leased oyster bottoms used for oyster cultivation; and generally relating to the effectiveness of previously existing leases of leased oyster bottoms used for oyster cultivation.

BY adding to

Article - Natural Resources
Section 4-1108(e)
Annotated Code of Maryland
(1983 Replacement Volume and 1985 Supplement)

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

Article - Natural Resources

4-1108.

(E) (1) ~~NOTWITHSTANDING ANY---OTHER---PROVISION--OF--THIS SUBTITLE ANY PROVISION OF SUBSECTION (B) OF THIS SECTION,~~ THE DEPARTMENT MAY ISSUE OR RENEW A LEASE FOR ANY LEASED OYSTER BOTTOM THAT PREVIOUSLY WAS LEASED FOR PURPOSES OF OYSTER CULTIVATION UNDER THIS SUBTITLE IF:

(I) APPLICATION FOR THE NEW, RENEWED, OR TRANSFERRED LEASE WAS MADE BEFORE DECEMBER 31, 1984; AND

(II) THE PROPOSED SITE OF THE LEASED OYSTER
BOTTOM:

~~(i)~~ 1. HAS NOT BECOME A NATURAL OYSTER BAR OR CLAM BAR; AND

~~(ii)~~ 2. IS OTHERWISE SUITABLE FOR OYSTER CULTIVATION.

(2) ANY LEASE ISSUED OR RENEWED UNDER THIS SUBSECTION IS CONSIDERED LEGITIMATE FOR ALL PURPOSES.