

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

Approved April 11, 1995.

CHAPTER 46

(House Bill 182)

AN ACT concerning

Oyster Grounds – Lease and Acquisition

FOR the purpose of adding a limited exception to a certain prohibition on the lease or acquisition of certain oyster grounds from the Department of Natural Resources by certain nonprofit and nonstock corporations; prohibiting certain nonprofit and nonstock corporations from transferring certain interests in certain submerged land ~~to certain persons under certain circumstances~~; authorizing certain nonprofit and nonstock corporations to harvest oysters under a certain approved harvesting program provided that the revenues are used for certain purposes; and generally relating to the lease and acquisition of oyster grounds.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4-11A-05(a)

Annotated Code of Maryland

(1989 Replacement Volume and 1994 Supplement)

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

Article – Natural Resources

4-11A-05.

(a) (1) The Department may lease, in the name of the State, tracts or parcels of land beneath the waters of the State to residents of the State for protecting, sowing, bedding, or cultivating oysters or other shellfish, subject to the provisions of this section. These submerged lands when leased shall be known as leased oyster bottoms.

(2) (i) Except as provided in this paragraph, a corporation or joint stock company may not lease or acquire by assignment or otherwise any submerged land of the State for the purposes of this section.

(ii) A 4-H club in the State may lease or acquire not more than 10 acres of submerged land for the purposes of this section.