

(i) ~~An~~ Include an analysis of the ecological benefits and risks associated with the introduction of:

1. Reproductively capable nonnative oyster species in Maryland waters, for purposes of fisheries restoration or any other purpose; and

2. Sterile nonnative species in Maryland, for purposes of the development of aquaculture or any other purpose; and

(ii) ~~To the extent possible as the study progresses, Proceed in accordance with the findings of the National Academy of Sciences review of the Suminoe oyster.~~

(3) Notwithstanding the provisions of § 4-11A-02(a)(2) of the Natural Resources Article, with prior approval of the Department, a person may engage in research and experimentation in Maryland waters with live, nonnative oysters.

(4) The Department shall ensure that proper biosecurity measures, as defined by the protocols of the International Council for the Exploration of the Sea, are followed in order to ensure to the greatest extent practicable that any research the Department approves involving live, nonnative oysters in Maryland waters will not result in the de facto introduction of a nonnative species.

(b) The Department shall also study the current condition and ongoing viability of oysters native to Maryland waters and new measures to protect and increase the overall health and survival rate of native oysters.

(c) The Department shall seek funding for, and develop a plan to implement, the study required under this section.

(d) The Department shall submit to the Governor and, in accordance with § 2-1246 of the State Government Article, to the House Environmental Matters Committee and the Senate Education, Health, and Environmental Affairs Committee:

(1) By December 1, 2002, an interim report on the status of ongoing research and all interim findings available to the Department, including findings to date of the National Academy of Sciences review of the Suminoe oyster; and

(2) By December 1, 2004, a final report on all findings available to date from the National Academy of Sciences review and from studies conducted under this Act.

SECTION 2. 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or 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. It shall remain effective through December 31, 2004 and, at the end of December 31, 2004, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved May 16, 2002.