



2019 General Assembly Session

Bills of Interest

As of March 29, 2019

HOUSE BILLS

HB 1 / SB 145

Delegate Lafferty

NATURAL RESOURCES – PROHIBITION ON DREDGING BURIED OYSTER SHELLS ON MAN–O–WAR SHOALS

Prohibiting the Department of Natural Resources from dredging buried oyster shells on Man–O–War Shoals; and making the Act an emergency measure.

EMERGENCY BILL

NR, § 4-1103(a) - amended

Assigned to: Environment and Transportation

Bill Hearing: 1/29 at 2:30 pm (view committee hearing [here](#))

OPPOSE



Clean Chesapeake Coalition also OPPOSED

UNFAVORABLE REPORT by Committee; **Withdrawn by Sponsor**

HB 40

Delegate Grammer

DREDGING ON MAN–O–WAR SHOALS – PROHIBITION

Prohibiting the Department of Natural Resources from dredging buried oyster shells on Man–O–War Shoals as part of carrying out certain duties calculated to increase the productivity or utility of oyster resources in the State.

EFFECTIVE JUNE 1, 2019

NR, § 4-1103(a) - amended

Assigned to: Environment and Transportation

Bill Hearing: 1/29 at 2:30 pm (view committee hearing [here](#))

OPPOSE



Clean Chesapeake Coalition also OPPOSED

UNFAVORABLE REPORT by Committee (23-0)



HB 298 / SB 448

Speaker Busch, et al

OYSTERS – TRIBUTARY SCALE SANCTUARIES – PROTECTION AND RESTORATION

Establishing a network of oyster sanctuaries in the five tributaries identified by the Department of Natural Resources for large-scale restoration pursuant to the 2014 Chesapeake Bay Watershed Agreement; codifying the boundaries of certain oyster sanctuaries; prohibiting a person from catching oysters in or removing oysters from a certain oyster sanctuary, subject to a certain exception; requiring the Department to report to certain committees of the General Assembly by December 1, 2019 on the restoration plans for the sanctuaries; etc.

EFFECTIVE JULY 1, 2019

NR, § 4-1014 - added

Assigned to: Environment and Transportation

Bill Hearing: Friday, 2/22 at 1:00 pm (view committee hearing [here](#))

OPPOSE



Clean Chesapeake Coalition also OPPOSED

PASSED HOUSE w/AMENDMENTS (98-40)

PASSED SENATE (32-14); RETURNED PASSED to HOUSE

HB 348 / SB 362

Delegate Jacobs, et al

NATURAL RESOURCES – OYSTER PLANTING – SUBSTRATE MATERIAL

Establishing that the Department of Natural Resources may plant or allow to be planted only certain native oyster shell, including fossilized native oyster shell, of the species *Crassostrea virginica* for use as substrate for an oyster restoration, propagation, or replenishment project; and authorizing the Department to use certain alternate materials as substrate for a project if certain entities recommend or approve the use and after the Department prepares a certain analysis for and holds a public hearing on the project.

EFFECTIVE OCTOBER 1, 2019

NR, § 4-1016 - added

Assigned to: Environment and Transportation

Bill Hearing: Wednesday, 2/13 at 1:00 pm; (committee hearing unavailable)

SUPPORT



Clean Chesapeake Coalition also SUPPORTS

UNFAVORABLE REPORT by Committee; **Withdrawn by Sponsor**



HB 377

Delegate Gilchrist, et al

NATURAL RESOURCES – SUBMERGED AQUATIC VEGETATION PROTECTION ZONES – REVISIONS

Altering the definition of “SAV protection zone”; altering the requirements for the areas that must be included in updated designations of SAV protection zones; altering the circumstances under which a previously designated SAV protection zone may be opened to the use of a hydraulic clam dredge, traditional bottom dredge, or shinnecock rake; repealing the authority of the Department of Natural Resources to make certain revisions to the delineations of SAV protection zones; etc.

EFFECTIVE OCTOBER 1, 2019

NR, § 4-1006.1 - amended

Assigned to: Environment and Transportation

Bill Hearing: Wednesday, 2/13 at 1:00 pm; (committee hearing unavailable)

OPPOSE

UNFAVORABLE REPORT by Committee; **Withdrawn by Sponsor**

HB 384

Delegate Gilchrist, et al

SOFT-SHELL CLAMS AND RAZOR CLAMS – FISHERY MANAGEMENT PLANS

Requiring the Department of Natural Resources to prepare fishery management plans for the soft-shell clam and razor clam species on or before December 31, 2020, subject to available funding.

EFFECTIVE JUNE 1, 2019

NR, § 4-215(b)(24) and (25) - amended and § 4-215(b)(26) and (27) - added

Assigned to: Environment and Transportation

Bill Hearing: Wednesday, 2/13 at 1:00 pm; (committee hearing unavailable)

OPPOSE

UNFAVORABLE REPORT by Committee; **Withdrawn by Sponsor**



HB 394

Delegate Cassilly, et al

TIDAL FISH LICENSES – AUTHORIZATION TO CATCH CRABS – APPLICATION REQUIREMENTS

Requiring an applicant for a new or renewed authorization to catch crabs under a tidal fish license to supply, as part of the application, the applicant's home address and at least two forms of identification.

EFFECTIVE JULY 1, 2019

NR, § 4-701(i) and (l) - amended

Assigned to: Environment and Transportation

Bill Hearing: Wednesday, 2/20 at 1:00 pm (view committee hearing [here](#))

PASSED HOUSE w/AMENDMENTS (140-0)

UNFAVORABLE REPORT by Senate EHEA Committee

HB 417

Delegate Hill, et al

WATER POLLUTION CONTROL – PUBLIC NOTIFICATION OF SEWER OVERFLOWS AND TREATMENT PLANT BYPASSES – ALTERATION

Specifying the content of the procedures that the Department of the Environment, in cooperation with the Maryland Department of Health, local health departments, and local environmental health directors, is required to develop for an owner or operator of certain sewer systems or wastewater treatment plants to provide public notification of a sewer overflow or treatment plant bypass; applying the public notification requirement to treatment plant bypasses; etc.

EFFECTIVE OCTOBER 1, 2019

EN, § 9-331.1 - amended

Assigned to: Environment and Transportation

Bill Hearing: Wednesday, 2/20 at 1:00 pm (view committee hearing [here](#))

NO POSITION

PASSED HOUSE w/AMENDMENTS (140-0)

Senate EHEA Committee Hearing 3/26 (view committee hearing [here](#))



HB 472

Delegate Lafferty, et al

CONSTITUTIONAL AMENDMENT – ENVIRONMENTAL RIGHTS

Proposing an amendment to the Maryland Constitution to establish that every person has the right to a certain clean and healthy environment; authorizing the State, a political subdivision, and any person to enforce certain rights; establishing that every person has the right to intervene in an action brought by the State or a political subdivision of the State to protect certain rights; submitting the amendment to the qualified voters of the State for their adoption or rejection, etc.

CONSTITUTIONAL AMENDMENT – CONTINGENT

Maryland Constitution, Declaration of Rights, Art. 48 - added

Assigned to: Environment and Transportation

Bill Hearing: Wednesday, 2/20 at 1:00 pm (view committee hearing [here](#))

OPPOSE

UNFAVORABLE REPORT by Committee; **Withdrawn by Sponsor**

HB 720 / SB 830

Delegate Barve, et al

NATURAL RESOURCES – FISHERY MANAGEMENT PLANS – OYSTERS

Requiring the Department of Natural Resources, in coordination with the University of Maryland Center for Environmental Science, to convene a stakeholder workgroup to develop a package of consensus recommendations for enhancing and implementing the fishery management plan for oysters; requiring the workgroup to review certain oyster management actions and recommend certain oyster management actions to achieve certain goals; requiring the Department to submit its final report to the Governor and General Assembly by July 1, 2021; etc.

EFFECTIVE JUNE 1, 2019

NR, § 4-215(e)(4) - amended and § 4-215(e)(5) - added

Assigned to: Environment and Transportation

Bill Hearing: Friday, 2/22 at 1:00 pm (view committee hearing [here](#))

OPPOSE

Amendments proposed by sponsor and DNR



Clean Chesapeake Coalition also OPPOSES

PASSED IN HOUSE w/AMENDMENTS (96-39)



HB 841

Delegates Clark and Morgan

AQUACULTURE – SUBMERGED AQUATIC VEGETATION – PLACEMENT OF SHELLFISH, BAGS, NETS, AND STRUCTURES

Authorizing a leaseholder of certain aquaculture leases to, with prior written approval from the Department of Natural Resources, place shellfish, bags, nets, and structures on submerged aquatic vegetation; requiring the Department to submit a certain annual report to the Aquaculture Coordinating Council and the General Assembly on or before June 1, 2020 and each June 1 for the next 4 years thereafter; and providing for the termination of the Act.

EFFECTIVE JUNE 1, 2019

NR, § 4-11A-10(c) - amended

Assigned to: Environment and Transportation

Bill Hearing: Friday, 2/27 at 1:00 pm (view committee hearing [here](#))

SUPPORT

PASSED HOUSE w/AMENDMENTS (138-0)

Senate EHEA Committee Hearing 3/26 (view committee hearing [here](#))

HB 921 / SB 1036

Delegate Jacobs, et al

ENVIRONMENT – CONOWINGO DAM – WATER QUALITY CERTIFICATION

Requiring the Department of the Environment, as part of its review and approval process for an application for a water quality certification for the Conowingo Dam relicensing process, to require the applicant to fulfill certain requirements and conditions related to the removal of trash and debris from the Conowingo Reservoir; and making the Act an emergency measure.

EMERGENCY BILL

EN, § 9-354 - added

Assigned to: Environment and Transportation

Bill Hearing: Wednesday, 2/27 at 1:00 pm (view committee hearing [here](#))

SUPPORT



Clean Chesapeake Coalition also SUPPORTS

UNFAVORABLE REPORT by Committee; **Withdrawn by Sponsor**



HB 1024

Delegate Mautz

NATURAL RESOURCES – CRABBING AUTHORIZATIONS – RECIPROCITY

Prohibiting the Department of Natural Resources from issuing an authorization to catch crabs to a nonresident unless the state of residence of the nonresident issues a like crabbing license or authorization and makes the crabbing license or authorization available to Maryland residents.

EFFECTIVE JULY 1, 2019

NR, § 4-701(d) - amended

Assigned to: Environment and Transportation

Bill Hearing: Friday, 3/1 at 1:00 pm (view committee hearing [here](#))

SUPPORT

UNFAVORABLE REPORT by Committee (vote tally [here](#))

HB 1153

Delegates Mautz and Adams

TIDAL FISH LICENSES – OYSTER AUTHORIZATIONS – REVOCATION

Authorizing, rather than requiring, the Department of Natural Resources to revoke a person's authorization to catch oysters if the Department finds or concludes that the person has knowingly committed one of certain offenses; and authorizing a person whose authorization to catch oysters is revoked under certain provisions of law to apply for reinstatement of the authorization after 5 years.

EFFECTIVE JULY 1, 2019

NR, § 4-1210 - amended

Assigned to: Environment and Transportation

Bill Hearing: Wednesday, 3/6 at 1:00 pm (view committee hearing [here](#))

UNFAVORABLE REPORT by Committee (vote tally [here](#))



HB 1309 / SB 876

Delegate Crosby

AQUACULTURE – LEASES IN WATER COLUMN – RIPARIAN RIGHT OF FIRST REFUSAL

Establishing that a riparian property owner or lessee shall have the right of first refusal to apply for and, if approved, obtain a water column lease, or an aquaculture lease for use in the water column in an Aquaculture Enterprise Zone, in an area that fronts the riparian property, subject to certain standards and requirements; establishing that the requirement for active use of a lease does not apply to a riparian leaseholder who obtains a water column lease through a right of first refusal; etc.

EFFECTIVE JUNE 1, 2019

NR, §§ 4-11A-05, 4-11A-08, and 4-11A-10(b) - amended

Assigned to: Environment and Transportation

Bill Hearing: Tuesday, 3/12 at 1:00 pm

SUPPORT

UNFAVORABLE REPORT by Committee (23-0)

HB 1358

Delegate Mautz

NATURAL RESOURCES – OYSTER SEVERANCE TAX – INCREASE

Increasing the amount of the severance tax levied on oysters caught within certain natural oyster bars from \$1 to \$2 per bushel; and requiring that \$1 of the severance tax levied be distributed to certain county oyster committees for the repletion of natural oyster bars within the waters of the counties.

EFFECTIVE OCTOBER 1, 2019 NR, § 4-1020(b) and (c) - amended

Assigned to: House Rules and Executive Nominations

Bill Hearing: No action by House Rules Committee

SUPPORT

HB 1385

Delegate Howard

NATURAL RESOURCES – CRAB HARVEST – START TIME

Authorizing the Department of Natural Resources to adopt regulations that allow a tidal fish licensee who catches crabs regardless of the gear used to begin the workday 2 hours before sunrise if the projected temperature for the day is at least 90 degrees Fahrenheit provided that the licensee uses the Department's hailing system to hail in and hail out of the workday.

EFFECTIVE JUNE 1, 2019

NR, § 4-803 - amended

Assigned to: House Rules and Executive Nominations

Bill Hearing: No action by House Rules Committee



SENATE BILLS

SB 7

Chair, Education, Health, and Environmental Affairs Committee

(By Request – Departmental – Natural Resources)

NATURAL RESOURCES – REGULATION AND USE OF COMMERCIAL FINFISH TROT LINES – REPEAL OF SUNSET

Repealing the termination provision for certain provisions of law governing the regulation and use of commercial finfish trotlines.

EFFECTIVE JUNE 1, 2019

Chapter 86 of the Acts of 2016, § 2 - amended

Assigned to: Education, Health, and Environmental Affairs / Environment and Transportation

Bill Hearing: 1/17 (view committee hearing [here](#))

PASSED SENATE w/AMENDMENTS (44-0)

FAVORABLE REPORT by House Environment and Transportation Committee

SB 145 / HB 1

Senator Klausmeier, et al

NATURAL RESOURCES – PROHIBITION ON DREDGING BURIED OYSTER SHELLS ON MAN-O-WAR SHOALS

Prohibiting the Department of Natural Resources from dredging buried oyster shells on Man-O-War Shoals as part of carrying out certain duties.

EMERGENCY BILL

NR, § 4-1103(a) - amended

Assigned to: Education, Health, and Environmental Affairs

Bill Hearing: 2/5 at 1:00 pm (view committee hearing [here](#))

OPPOSE



Clean Chesapeake Coalition also **OPPOSED**

No action by Committee, yet



SB 332

Senator Kramer

STATE FINANCE AND PROCUREMENT – CHESAPEAKE BAY WATERSHED STATES – EXPENSES AND CONTRACTS (QUIT POLLUTING MY BAY ACT OF 2019)

Requiring the Standard State Travel Regulations to prohibit the reimbursement for travel expenses to a certain state for which the U.S. Environmental Protection Agency has identified two or more pollution source sectors at a backstop actions level of oversight; prohibiting a public body from awarding a certain procurement contract to a business from a State in which the U.S. Environmental Protection Agency has identified two or more pollution source sectors at a backstop actions level of oversight under certain circumstances; etc.

EFFECTIVE OCTOBER 1, 2019

SF, § 10-203 - amended and §§ 17-801 and 17-802 - added

Assigned to: Education, Health, and Environmental Affairs

Bill Hearing: Tuesday, 2/19 at 1:00 pm (view committee hearing [here](#))

UNFAVORABLE REPORT by Committee (vote tally [here](#))

SB 362 / HB 348

Senator Hershey, et al

NATURAL RESOURCES – OYSTER PLANTING – SUBSTRATE MATERIAL

Establishing that the Department of Natural Resources may plant or allow to be planted only certain native oyster shell, including fossilized native oyster shell, of the species *Crassostrea virginica* for use as substrate for an oyster restoration, propagation, or replenishment project; and authorizing the Department to use certain alternate materials as substrate for a project if certain entities recommend or approve the use and after the Department prepares a certain analysis for and holds a public hearing on the project.

EFFECTIVE OCTOBER 1, 2019

NR, § 4-1016 - added

Assigned to: Education, Health, and Environmental Affairs

Bill Hearing: Tuesday, 2/19 at 1:00 pm (view committee hearing [here](#))

SUPPORT



Clean Chesapeake Coalition also **SUPPORTS**

UNFAVORABLE REPORT by Committee (vote tally [here](#))



SB 448 / HB 298

Senator Pinsky, et al

OYSTERS – TRIBUTARY–SCALE SANCTUARIES – PROTECTION AND RESTORATION

Establishing a network of oyster sanctuaries in the five tributaries identified by the Department of Natural Resources for large–scale restoration pursuant to the 2014 Chesapeake Bay Watershed Agreement; codifying the boundaries of certain oyster sanctuaries; prohibiting a person from catching oysters in or removing oysters from a certain oyster sanctuary, subject to a certain exception; etc.

EFFECTIVE JULY 1, 2019 NR, § 4-1014 - added

Assigned to: Education, Health, and Environmental Affairs

Bill Hearing: Wednesday, 2/27 at 1:00 pm (view committee hearing [here](#))

OPPOSE



Clean Chesapeake Coalition also **OPPOSED**

PASSED SENATE w/AMENDMENTS (34-13)

SECOND READER passed in HOUSE w/AMENDMENTS (to match cf HB 298)

Special Order by Delegate Hornberger adopted 3/29

SB 683

Senator Hershey, et al

OYSTER MANAGEMENT PLAN – HARVEST – STUDY

Requiring the Department of Natural Resources, as part of its fishery management plan for oysters, to study the effectiveness of harvesting oysters to facilitate oyster propagation and restoration and review any oyster management actions, including oyster harvesting, taken by the Commonwealth of Virginia to facilitate oyster propagation and restoration; and repealing certain obsolete language governing the timing for developing a fishery management plan for oysters.

EFFECTIVE JUNE 1, 2019

NR, § 4-215(e)(4) - amended and § 4-215(e)(5) - added

Assigned to: Education, Health, and Environmental Affairs

Bill Hearing: Wednesday, 2/27 at 1:00 pm (view committee hearing [here](#))

SUPPORT



Clean Chesapeake Coalition also **SUPPORTS**

No action by Committee



SB 830 / HB 720

Senator Elfreth

NATURAL RESOURCES – FISHERY MANAGEMENT PLANS – OYSTERS

Requiring the Department of Natural Resources, in coordination with the University of Maryland Center for Environmental Science, to convene a stakeholder workgroup to develop a package of consensus recommendations for enhancing and implementing the fishery management plan for oysters; requiring the workgroup to review certain oyster management actions and recommend certain oyster management actions to achieve certain goals; requiring the Department to submit its final report to the Governor and General Assembly by July 1, 2021; etc.

EFFECTIVE JUNE 1, 2019

NR, § 4-215(e)(4) - amended and § 4-215(e)(5) - added

Assigned to: Education, Health, and Environmental Affairs

Bill Hearing: Wednesday, 2/27 at 1:00 pm (view committee hearing [here](#))

OPPOSE



Clean Chesapeake Coalition also OPPOSED

PASSED SENATE w/AMENDMENTS (45-2)

SECOND READER PASSED HOUSE w/AMENDMENTS

(the amendments adopted by the Senate match cross-filed HB 720 as amended by the House, thus avoiding a conference committee)

SB 876 / HB 1309

Senator Bailey

AQUACULTURE – LEASES IN WATER COLUMN – RIPARIAN RIGHT OF FIRST REFUSAL

Establishing that a riparian property owner or lessee shall have the right of first refusal to apply for and, if approved, obtain a water column lease, or an aquaculture lease for use in the water column in an Aquaculture Enterprise Zone, in an area that fronts the riparian property, subject to certain standards and requirements; establishing that the requirement for active use of a lease does not apply to a riparian leaseholder who obtains a water column lease through a right of first refusal; etc.

EFFECTIVE JUNE 1, 2019

NR, §§ 4-11A-05, 4-11A-08, and 4-11A-10(b) - amended

Assigned to: Education, Health, and Environmental Affairs

Bill Hearing: Tuesday, 3/12 at 10:00 am (view committee hearing [here](#))

SUPPORT

No action by Committee



SB 1036 / HB 921

Senator Hershey, et al

ENVIRONMENT – CONOWINGO DAM – WATER QUALITY CERTIFICATION

Requiring the Department of the Environment, as part of its review and approval process for an application for a water quality certification for the Conowingo Dam relicensing process, to require the applicant to fulfill certain requirements and conditions related to the removal of trash and debris from the Conowingo Reservoir to include the conduct of a feasibility study on obtaining, locating, installing, and using water wheel trash interceptors for removing trash and debris from the Reservoir; etc.

EMERGENCY BILL

EN, § 9-354 - added

Assigned to: Senate Rules

SUPPORT



Clean Chesapeake Coalition also SUPPORTS

No action by Senate Rules Committee



JOINT RESOLUTIONS

HJ 8 (House Joint Resolution)

Delegate Jacobs, et al

CONOWINGO DAM – POLLUTION CLEANUP – COSTS

Stating the view of the General Assembly that Exelon Generation Company, LLC, owner of the Conowingo Dam, must pay a portion of the cleanup costs associated with the dam's federal certification and at least 25% of the costs associated with the Susquehanna River's Watershed Implementation Plan.

Assigned to: House Rules and Executive Nominations

Bill Hearing: In the House – Monday, 2/25 at 2:00 pm (view committee hearing [here](#))

Fiscal and Policy Note [here](#)

SUPPORT



Clean Chesapeake Coalition also SUPPORTS

No action by House

SJ 4 (Senate Joint Resolution)

Senator Hershey, et al

CONOWINGO DAM – POLLUTION CLEANUP – COSTS

Stating the view of the General Assembly that Exelon Generation Company, LLC, owner of the Conowingo Dam, must pay a portion of the cleanup costs associated with the dam's federal certification and at least 25% of the costs associated with the Susquehanna River's Watershed Implementation Plan.

Assigned to: Senate Rules

SUPPORT



Clean Chesapeake Coalition also SUPPORTS

No action by Senate Rules Committee