

~~Committee and the Senate Education, Health, and Environmental Affairs Committee concerning the status of on-going research and interim findings in accordance with § 2-1246 of the State Government Article.~~

~~(b) On or before December 1, 2004, the Department of Natural Resources shall submit a final report to the Governor, the House Environmental Matters Committee and the Senate Education, Health, and Environmental Affairs Committee concerning the potentiality and feasibility of cultivating the species of oyster Crassostrea ariakensis in Maryland waters in accordance with § 2-1246 of the State Government Article.~~

(a) (1) The Department of Natural Resources shall authorize the study of the Suminoe oyster (Crassostrea ariakensis) and other nonnative species by both private and public research institutions with expertise in the field.

(2) The study required under paragraph (1) of this subsection shall:

(i) 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) 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