

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL NO. 275

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “waters;” insert “providing for the establishment of an oyster sanctuary; prohibiting a person from catching oysters in a certain oyster sanctuary; requiring the Department to establish certain regulations establishing certain penalties; requiring the Department to submit a certain report by a certain date; providing for the termination of certain provisions of this Act; providing for the delayed effective date of a certain provision of this Act;”.

AMENDMENT NO. 2

On page 1, in line 20, strike “IN AND LYING” and substitute “THAT LIE”.

On page 2, in line 22, after “(D)” insert “THE DEPARTMENT SHALL ESTABLISH ZONES BY REGULATIONS WITHIN THE FOLLOWING AREAS IN WHICH”; in line 23, strike “15” and substitute “30”; in line 27, after “COUNTY” insert “, FOLLOWING THE CALVERT AND ST. MARY’S COUNTY LINE IN A NORTHEASTERLY DIRECTION TO THE DORCHESTER COUNTY LINE, FOLLOWING THE CALVERT AND DORCHESTER COUNTY LINE IN A NORTHWESTERLY LINE TO THE JUNCTION OF CALVERT, DORCHESTER, AND TALBOT COUNTY LINE, CONTINUING IN A NORTHWESTERLY DIRECTION ALONG THE CALVERT AND TALBOT COUNTY LINE TO THE JUNCTION OF CALVERT, TALBOT, AND ANNE ARUNDEL COUNTY LINE AND BACK TO THE POINT OF BEGINNING”; in line 31, strike the second “OR”; and in line 33, after “FRIDAY” insert “; OR”.

(III) IN ANY AREA CLOSED TO HYDRAULIC CLAM DREDGING UNDER § 4-1006.1 OF THIS SUBTITLE”.

AMENDMENT NO. 3

On page 3, after line 6, insert:

(Over)

“(2) THE REGULATIONS ADOPTED BY THE SECRETARY MAY VARY THE LIMITS ESTABLISHED UNDER SUBSECTION (E)(2)(I) OF THIS SECTION.”;

in line 7, strike “(2)” and substitute “(3)(I)”; in the same line, strike “PROVIDE FOR THE ESTABLISHMENT OF” and substitute “ESTABLISH”; in line 8, strike “AT LEAST” and substitute “NOT LESS THAN”; strike beginning with “POWER” in line 9 down through “SANCTUARY” in line 10 and substitute:

“(II) A PERSON MAY NOT CATCH OYSTERS IN THE OYSTER SANCTUARY DESCRIBED IN THE REGULATIONS.

(III) THE SANCTUARY SHALL BE ESTABLISHED BEFORE THE OPENING OF THE POWER DREDGE SEASON”.

AMENDMENT NO. 4

On page 3, in line 13, strike “MAY” and substitute “SHALL”; in the same line, after “TO” insert “ESTABLISH A PROGRAM AT THE BEGINNING OF THE POWER DREDGE SEASON TO”; in line 14, after “AT” insert “NO LESS THAN”.

AMENDMENT NO. 5

On page 3, after line 17, insert:

“(5) THE DEPARTMENT SHALL ADOPT REGULATIONS RESERVING AREAS ON A ROTATIONAL BASIS FOR RESTORATION AND HARVESTING PURPOSES.

(6) THE DEPARTMENT SHALL ADOPT REGULATIONS ESTABLISHING AN APPROPRIATE PENALTY TO BE ASSESSED AGAINST A PERSON CONVICTED OF TAKING OYSTERS FROM A SANCTUARY OR RESERVED AREA.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

4-1014.1.

(A) THIS SECTION APPLIES ONLY TO THE WATERS OF THE STATE THAT LIE CONTIGUOUS TO CALVERT COUNTY IN THE CHESAPEAKE BAY.

(B) A PERSON MAY NOT CATCH OYSTERS IN AN OYSTER SANCTUARY THAT WAS ESTABLISHED BY REGULATIONS ADOPTED BY THE DEPARTMENT.

SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Natural Resources shall conduct a study of the impact of power dredging and, subject to § 2-1246 of the State Government Article, report to the General Assembly on or before January 1, 2004.”;

in line 18, strike “2.” and substitute “4.”; in the same line, after “That” insert “Sections 1 and 3 of”; and in line 19, strike “October 1, 1999 “ and substitute “June 1, 1999 and shall remain effective for a period of 5 years. At the end of May 31, 2004, with no further action required by the General Assembly, Sections 1 and 3 of this Act shall be abrogated and of no further force and effect.”

SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of the termination provision specified in Section 4 of this Act.

SECTION 6. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 5 of this Act, this Act shall take effect June 1, 1999”.