



SB0580/313620/1

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

25 FEB 22  
12:02:36

BY: Senator Bailey  
(To be offered in the Education, Health, and Environmental  
Affairs Committee)

AMENDMENTS TO SENATE BILL 580

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Sewer” and substitute “Areas Closed to Shellfish Harvesting – Sewer”; in the same line, strike “and” and substitute a comma; in the same line, strike “– Water” and substitute “, and Water”; in the same line, after “Pollution –” insert “Damages for”; in line 3, strike “Harvester Restitution” and substitute “Harvesters and Notice”; in line 6, strike “restitution” and substitute “damages”; in line 7, after “harvesters;” insert “requiring the Department of the Environment, in coordination with the Department of Natural Resources, to notify shellfish harvesters of an area being closed to harvest due to pollution; requiring the Department of the Environment to provide certain information and statements to the public;”; and in line 13, strike “without” and substitute “with”.

AMENDMENT NO. 2

On page 1, in line 22, after “(A)” insert “IN THIS SECTION, “SHELLFISH HARVESTER” MEANS AN INDIVIDUAL WHO HOLDS:

(1) A SUBMERGED LAND LEASE UNDER § 4-11A-06 OR § 4-11A-07 OF THE NATURAL RESOURCES ARTICLE;

(2) A WATER COLUMN LEASE UNDER § 4-11A-08 OF THE NATURAL RESOURCES ARTICLE;

(3) AN AQUACULTURE OR SUBMERGED LAND LEASE UNDER § 4-11A-09 OF THE NATURAL RESOURCES ARTICLE; OR

**(4) THE APPROPRIATE AUTHORIZATIONS TO COMMERCIALY HARVEST OYSTERS OR CLAMS UNDER A TIDAL FISH LICENSE ISSUED UNDER § 4-701 OF THE NATURAL RESOURCES ARTICLE.**

**(B)**".

On page 2, in lines 3, 8, and 17, strike "**(B)**", "**(C)**", and "**(D)**", respectively, and substitute "**(C)**", "**(D)**", and "**(E)**", respectively; in lines 6, 8, and 17, in each instance, strike "RESTITUTION" and substitute "**DAMAGES**"; in line 10, after "**(1)**" insert "**(I)**"; in line 13, strike "**(2)**" and substitute "**(II)**"; in line 16, after "SEASONS" insert "**; OR**

**(2) HAS AN EXECUTED LEASE AGREEMENT FOR AQUACULTURE, A WATER COLUMN, OR SUBMERGED LAND IN THE AREA AFFECTED BY THE CLOSURE**";

in line 28, after "(i)" insert "**IF THE DEPARTMENT OF THE ENVIRONMENT CLOSES ANY AREA TO THE CATCHING OF OYSTERS OR CLAMS UNDER THIS SUBSECTION, THE DEPARTMENT OF THE ENVIRONMENT SHALL:**

**1. IN COORDINATION WITH THE DEPARTMENT, NOTIFY SHELLFISH HARVESTERS OF THE CLOSURE;**

**2. MAKE THE FOLLOWING INFORMATION AVAILABLE TO THE PUBLIC:**

**A. THE LOCATION OF THE CLOSED AREA; AND**

**B. THE DURATION OF THE CLOSURE; AND**

**3. MAKE THE FOLLOWING OR SIMILAR STATEMENTS AVAILABLE TO THE PUBLIC:**

**A. THE CLOSURE IS NECESSARY TO PROTECT PUBLIC HEALTH;**

**B. SHELLFISH HARVESTERS HAVE BEEN NOTIFIED OF THE CLOSURE;**

**C. THE AREA WILL REOPEN WHEN OYSTERS AND CLAMS CAN BE HARVESTED SAFELY;**

**D. OYSTERS AND CLAMS HARVESTED OUTSIDE THE AREA REMAIN SAFE FOR PUBLIC CONSUMPTION; AND**

**E. TO PROTECT THE PUBLIC, ALL OYSTERS AND CLAMS HARVESTED IN MARYLAND ARE REQUIRED TO BE PLACED IN CONTAINERS THAT ARE TAGGED WITH THE HARVEST DATE AND LOCATION.**

**(II)**”;

and in lines 30 and 32, in each instance, strike “(ii)” and substitute “**(III)**”.