BY: Economic and Environmental Affairs Committee

<u>AMENDMENTS TO SENATE BILL NO. 398</u>
(First Reading File Bill)

<u>AMENDMENT NO. 1</u>
        At the top of page 1, insert "<u>EMERGENCY BILL</u>"; in line 6, strike "catching of soft-shell clams by" and substitute "<u>the use of a</u> "; in lines 6 and 7, strike "within a certain distance of " and substitute "<u>in</u>"; in line 7, after "beds;" insert "<u>providing for the application of this Act; making this Act an emergency measure;</u>"; strike in its entirety line 9 and substitute "<u>BY adding to</u>"; and strike in its entirety line 11 and substitute "<u>Section 4-1006.1</u>".

<u>AMENDMENT NO. 2</u>
        On pages 1 through 4, strike in their entirety the lines beginning with line 17 on page 1 through line 5 on page 4, inclusive, and substitute:

"<u>4-1006.1.</u>

        <u>(A) THE DEPARTMENT SHALL:</u>

                <u>(1) DELINEATE EXISTING SUBMERGED AQUATIC VEGETATION BEDS IN THE WATERS OF THE STATE AS DOCUMENTED IN THE MOST RECENT AERIAL SURVEY; AND</u>

                <u>(2) PERIODICALLY UPDATE THE DELINEATION REQUIRED UNDER ITEM (1) OF THIS SUBSECTION.</u>

        <u>(B) A PERSON MAY NOT USE A HYDRAULIC CLAM DREDGE IN EXISTING SUBMERGED AQUATIC VEGETATION BEDS AS DELINEATED UNDER SUBSECTION (A) OF THIS SECTION.</u>

        <u>(C) BY OCTOBER 1, 1998, THE DEPARTMENT SHALL ADOPT REGULATIONS</u>

THAT PROVIDE THE LATITUDE AND LONGITUDE COORDINATES FOR THE PLACEMENT OF BUOYS TO DELINEATE AREAS IN WHICH THE USE OF A HYDRAULIC CLAM DREDGE IS PROHIBITED.

(D) THIS SECTION MAY NOT BE CONSTRUED TO AFFECT THE AUTHORITY OF THE DEPARTMENT TO ADOPT ANY ADDITIONAL MEASURES THAT THE DEPARTMENT DETERMINES ARE NECESSARY TO PROTECT SUBMERGED AQUATIC VEGETATION BEDS IN THE WATERS OF THE STATE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a yea 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.".