

HB0964/173628/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 964
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “Act;” insert “authorizing certain persons to file certain claims for compensation with the Department of Natural Resources for certain negative impacts resulting from certain prohibitions; providing for the payment of certain compensation to certain persons from a certain fund for certain fiscal years;”.

AMENDMENT NO. 2

On page 6, after line 7, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) For each of fiscal years 2008, 2009, and 2010, a person that has invested in a hydraulic clam dredge, power dredge, or other mechanical device for the purposes of clamming or oystering in the Atlantic Coastal Bays may file a claim with the Department of Natural Resources for compensation for loss of use of the equipment and the negative impact on the person’s livelihood due to the prohibitions on the use of the equipment under Section 2 of this Act.

(b) A person that files a claim with the Department under subsection (a) of this section shall provide the Department with the information that the Department requires, including copies of harvest data, such as tickets under the shellfish buy ticket system, for the previous 2 years.

(c) (1) For each applicant for compensation under this section, the Department shall calculate the applicant’s average annual earnings from clamming or oystering based on the information provided under subsection (b) of this section.

(Over)

(2) Subject to the limitation under paragraph (3) of this subsection, for each of fiscal years 2008, 2009, and 2010, the Department shall establish a prorated compensation payment for each applicant based on the average annual earnings of the applicant calculated by the Department.

(3) For any fiscal year, the total payments to all applicants under this section may not exceed \$250,000.

(d) Notwithstanding § 8-707 of the Natural Resources Article:

(1) For fiscal year 2008 only, the compensation payments established under this section may be made from the Waterway Improvement Fund established under § 8-707 of the Natural Resources Article; and

(2) For each of fiscal years 2009 and 2010 only, the compensation payments established under this section shall be made from the Waterway Improvement Fund established under § 8-707 of the Natural Resources Article.”;

and in line 8, strike “3.” and substitute “4.”.