

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1368

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Environment – State and Private Wetlands – Improvements” and substitute “Task Force on Residential Pier Construction”; strike beginning with “prohibiting” in line 3 down through “wetlands.” in line 6 and substitute “establishing a Task Force on Residential Pier Construction; establishing the membership of the Task Force; requiring the Secretary of the Environment to request the participation of certain parties in the Task Force; providing for the designation of a chair of the Task Force; requiring the Department of the Environment to provide staff for the Task Force; prohibiting a member of the Task Force from receiving certain compensation; providing that a member of the Task Force may receive reimbursement of certain expenses; requiring the Task Force to study certain matters and make certain findings and recommendations; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or by a certain date; and generally relating to the Task Force on Residential Pier Construction.”; strike beginning with “BY” in line 7 down through “(Supplement)” in line 11; and in line 13, strike “the Laws of Maryland read as follows”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 14 on page 1 through line 15 on page 3, inclusive, and substitute:

“(a) There is a Task Force on Residential Pier Construction.

“(b) The Task Force consists of the following members:

“(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(Over)

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of the Environment, or the Secretary's designee; and

(4) the following seven members, appointed by the Secretary of the Environment:

(i) one representative of a Western Shore county bordering the Chesapeake Bay;

(ii) one representative of an Eastern Shore county bordering the Chesapeake or Atlantic Coastal Bays;

(iii) one representative of the Marine Trades Association of Maryland;

(iv) one representative of the Maryland Marine Contractors Association;

(v) one representative of the Maryland Association of Realtors;

(vi) one representative of the Chesapeake Bay Foundation; and

(vii) one representative of a Maryland Riverkeeper Program.

(c) The Secretary of the Environment shall invite the following parties to participate in the Task Force:

(1) the Secretary of Natural Resources, or the Secretary's designee;

(2) the Secretary of Business and Economic Development, or the Secretary's designee; and

(3) the Executive Secretary of the Board of Public Works, or the Executive Secretary's designee.

(d) The Secretary of the Environment shall designate the chair of the Task Force.

(e) The Department of the Environment shall provide staff for the Task Force.

(f) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(g) The Task Force shall:

(1) study and make findings regarding:

(i) existing laws, regulations, and policies related to residential pier construction and how the laws, regulations, and policies balance the needs of riparian property owners, the general public, and the environment;

(ii) the approach taken by other states regarding riparian access to navigable waters;

(iii) scientific research about environmental impacts associated with the construction of piers;

(Over)

(iv) issues associated with the construction of residential piers, including:

1. the length and height of piers over marsh and the associated ecological impact;

2. the length of piers over open water, and the associated ecological impacts, including impacts on submerged aquatic vegetation and dredging;

3. construction methodologies; and

4. competing uses of the waterway, including fishing, crabbing, and recreational uses; and

(2) make recommendations regarding necessary legislation.

(h) On or before January 1, 2010, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2009. It shall remain effective for a period of 1 year and, at the end of May 31, 2010, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.