

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 208  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 10 down through “circumstances;” in line 12 and substitute “providing that the Department may only issue a shellfish lease to a corporation under certain circumstances; providing that certain restrictions on the locations of submerged land leases do not apply to certain persons with certain riparian rights; making a certain technical correction; making the provisions of this Act severable;”.

AMENDMENT NO. 2

On page 4, in line 27, after “(i)” insert “1.”; in line 31, strike “(ii)” and substitute “2.”; and in the same line, strike “paragraph” and substitute “SUBPARAGRAPH”.

On page 5, in line 1, strike “(iii)” and substitute “3.”; in the same line, strike “subparagraph (i)” and substitute “SUBSUBPARAGRAPH 1”; in line 2, strike “paragraph” and substitute “SUBPARAGRAPH”; and after line 2, insert:

**“(II) THE DEPARTMENT MAY ISSUE AN AQUACULTURE LEASE TO A CORPORATION ONLY IF:**

**1. THE CORPORATION IS ORGANIZED UNDER THE LAWS OF THE STATE; AND**

**2. MORE THAN 50% OF THE STOCK IN THE CORPORATION IS OWNED BY RESIDENTS OF THE STATE.”**

(Over)

AMENDMENT NO. 3

On page 5, in line 23, after “(1)” insert “**(I)**”; in the same line, strike “The” and substitute “**SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**”; and after line 25, insert:

**“(II) THE DEPARTMENT MAY ISSUE A SUBMERGED LAND LEASE IN THE WATERS OF THE CHESAPEAKE BAY TO A CORPORATION ONLY IF:**

**1. THE CORPORATION IS ORGANIZED UNDER THE LAWS OF THE STATE; AND**

**2. MORE THAN 50% OF THE STOCK IN THE CORPORATION IS OWNED BY RESIDENTS OF THE STATE.”**

AMENDMENT NO. 4

On page 6, in line 4, strike “In” and substitute “**SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, IN**”; after line 6, insert:

**“(3) PARAGRAPH (2)(V) OF THIS SUBSECTION DOES NOT APPLY TO A RIPARIAN OWNER OR A LAWFUL OCCUPANT OF THE RIPARIAN PROPERTY.”**;

in line 22, after “(c)” insert “**(1)**”; in lines 23, 25, 27, 29, 30, and 32, strike “(1)”, “(2)”, “(3)”, “(4)”, “(5)”, and “(6)”, respectively, and substitute “**(I)**”, “**(II)**”, “**(III)**”, “**(IV)**”, “**(V)**”, and “**(VI)**”, respectively; and in line 30, strike “In” and substitute “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IN**”.

AMENDMENT NO. 5

On page 6, in line 19, after “(b)” insert “**(1)**”; in the same line, strike “The” and substitute “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**”; and after line 21, insert:

**“(2) THE DEPARTMENT MAY ISSUE A SUBMERGED LAND LEASE IN THE WATERS OF THE ATLANTIC COASTAL BAYS TO A CORPORATION ONLY IF:**

**(I) THE CORPORATION IS ORGANIZED UNDER THE LAWS OF THE STATE; AND**

**(II) MORE THAN 50% OF THE STOCK IN THE CORPORATION IS OWNED BY RESIDENTS OF THE STATE.”.**

AMENDMENT NO. 6

On page 7, in line 1, strike “(7)” and substitute “**(VII)**”; and after line 2, insert:

**“(2) PARAGRAPH (1)(V) OF THIS SUBSECTION DOES NOT APPLY TO A RIPARIAN OWNER OR A LAWFUL OCCUPANT OF THE RIPARIAN PROPERTY.”.**

AMENDMENT NO. 7

On page 8, strike beginning with “any” in line 9 down through “Article” in line 15 and substitute “**if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable**”.