

BY: Senator Colburn

AMENDMENTS TO SENATE BILL 159
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike beginning with “Oyster” through “Hearing” and substitute “Oysters – Sanctuaries and Poaching”; in line 3, after “of” insert “prohibiting the Department of Natural Resources from designating more than a certain percent of the available oyster habitat in the waters of the State as oyster sanctuaries, except under certain circumstances;”; in line 6, strike “of Natural Resources”; and strike beginning with “unlawfully” in line 12 down through “revocation” in line 13 and substitute “the management of oyster resources in the State”.

AMENDMENT NO. 2

On page 1, after line 13, insert:

“BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4-1006.2

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)”.

AMENDMENT NO. 3

On page 1, after line 21, insert:

“4-1006.2.

(A) THE DEPARTMENT MAY NOT DESIGNATE MORE THAN 25% OF THE AVAILABLE OYSTER HABITAT IN THE WATERS OF THE STATE AS OYSTER SANCTUARIES, UNLESS THE DEPARTMENT CONDUCTS A PUBLIC HEARING

(Over)

DURING WHICH IT PRESENTS SCIENTIFIC EVIDENCE OF A SIGNIFICANT INCREASE IN THE HARVESTABLE OYSTER POPULATION.

[(a)](B) The Department annually shall publish maps and coordinates of oyster sanctuaries, closed oyster harvest reserve areas, and areas closed to shellfish harvest by the Department of the Environment.

[(b)](C) (1) The Department shall provide the publications required under this section to each tidal fish licensee who pays the oyster surcharges required under § 4-701(e) of this title.

(2) Before a person may catch oysters under a tidal fish license that has an oyster authorization and for which the oyster surcharges have been paid, the person shall certify to the Department on a form the Department prescribes that the person received the publications required under this section.”.