

SB0127/304830/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 127
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “within” in line 6 down through “period” in line 7; in the same line, after the semicolon insert “prohibiting the Department from requiring a certain permit application to be submitted within a certain time period;”; in line 8, after “permits;” insert “requiring the Department to issue a certain permit under certain circumstances and in accordance with certain requirements; authorizing the Department to require certain terms in a certain permit; authorizing the Department to recommend certain actions to a certain applicant for a certain purpose; prohibiting the Department from requiring any additional terms or conditions in a certain permit;”; in line 10, after “occur” insert “and certain public safety organizations”; in the same line, after “permit;” insert “authorizing a police officer to terminate and disband a marine gathering for failure to obtain a certain permit or to comply with the terms of a certain permit;”; in line 11, strike the second “a”; in the same line, strike “term” and substitute “terms”; and in line 12, strike “the” and substitute “a”.

AMENDMENT NO. 2

On page 1, strike line 22 in its entirety and substitute:

“(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.”.

On page 2, in line 1, strike “(1) MEANS” and substitute:

“(2) (1) “MARINE GATHERING” MEANS”; in line 4, strike “; AND” and substitute a period; in line 5, strike “(2) DOES” and substitute “(II) “MARINE

(Over)

GATHERING” DOES”; in lines 6, 9, and 10, respectively, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “1.”, “2.”, and “3.”, respectively; after line 10, insert:

“(3) “PERMIT” MEANS A MARINE GATHERING PERMIT ISSUED IN ACCORDANCE WITH THIS SECTION.”.

AMENDMENT NO. 3

On page 2, in line 1, strike “50” and substitute “100”; strike beginning with “AT” in line 13 down through the third “THE” in line 14 and substitute “THE”; in line 19, strike “AND ENFORCING”; after line 19, insert:

“(3) THE DEPARTMENT MAY NOT REQUIRE THE APPLICATION TO BE SUBMITTED MORE THAN 45 DAYS BEFORE THE MARINE GATHERING.”;

in line 21, strike “FOR,” and substitute “AND”; and in the same line, strike “, AND TERMS AND CONDITIONS FOR”.

On pages 2 and 3, strike beginning with “THE” in line 23 on page 2 down through “SAFETY.” in line 2 on page 3 and substitute “IF A PERMIT IS NEEDED TO ENSURE PUBLIC SAFETY, THE DEPARTMENT SHALL ISSUE A PERMIT IN ACCORDANCE WITH PARAGRAPHS (3) AND (4) OF THIS SUBSECTION.

(3) THE DEPARTMENT MAY REQUIRE IN THE TERMS OF A PERMIT ONE OR MORE OF THE FOLLOWING REQUIREMENTS:

(I) THE PRESENCE OF SECURITY OFFICERS AT THE MARINE GATHERING;

(II) THE PRESENCE OF RESCUE PERSONNEL OR LIFEGUARDS AT THE MARINE GATHERING;

(III) THE PLACEMENT OF BUOYS AT THE MARINE GATHERING; AND

(IV) LIMITATIONS ON THE DURATION OF THE MARINE GATHERING.

(4) THE DEPARTMENT MAY:

(I) RECOMMEND ADDITIONAL ACTIONS TO AN APPLICANT TO FURTHER SAFEGUARD THE PARTICIPANTS OF THE MARINE GATHERING; BUT

(II) NOT REQUIRE ANY ADDITIONAL TERMS OR CONDITIONS IN A PERMIT BEYOND WHAT MAY BE REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION.”.

AMENDMENT NO. 4

On page 3, in line 5, after “OCCUR” insert “AND PUBLIC SAFETY ORGANIZATIONS THAT THE DEPARTMENT CONSIDERS NECESSARY”; after line 5, insert:

“(F) A POLICE OFFICER MAY TERMINATE AND DISBAND A MARINE GATHERING:

(1) HELD WITHOUT THE NECESSARY PERMIT; OR

(2) IN VIOLATION OF THE TERMS OF A PERMIT.”;

and in line 6, strike “**(F)**” and substitute “**(G)**”; strike beginning with “**A**” in line 6 down through “**(2)**” in line 10; in line 13, strike “**(3)**” and substitute “**(2)**”; and in line 15, strike “**IS GUILTY**” and substitute “**IS:**”

(I) GUILTY;

in line 16, strike “**IMPRISONMENT NOT EXCEEDING 6 MONTHS OR**”; strike beginning with “**\$2,000**” in line 16 down through “**OR BOTH**” in line 17 and substitute “**\$5,000; AND**”

(II) LIABLE TO THE STATE FOR THE COST OF DISBANDING THE MARINE GATHERING”.