

HB0924/793529/1

BY: Senator Eckardt

AMENDMENTS TO HOUSE BILL 924
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Actions” insert “and Alternative Management Plans”; in line 5, strike “and” and substitute “authorizing the Department to prepare a certain alternative management plan for any distressed oyster sanctuary; prohibiting the Department from preparing an alternative management plan in certain areas; providing for the contents of the alternative management plan; requiring the Department to establish, under certain circumstances, a certain account within a certain program to assist with funding for the implementation of alternative management plans; requiring that a certain amount of funding be deposited into the account established under this Act; and”; and in line 14, after “4-215(e)(4)” insert “and 4-1108”.

AMENDMENT NO. 2

On page 3, after line 11, insert:

“4-1108.

(A) IN THIS SECTION, “DISTRESSED OYSTER SANCTUARY” MEANS AN OYSTER SANCTUARY WITH AN OYSTER POPULATION THAT HAS DECREASED OVER THE PREVIOUS 5-YEAR PERIOD.

(B) (1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT MAY PREPARE AN ALTERNATIVE MANAGEMENT PLAN FOR ANY DISTRESSED OYSTER SANCTUARY.

(Over)

(II) AN ALTERNATIVE MANAGEMENT PLAN MAY NOT BE PREPARED FOR AN AREA WHERE OYSTERS ARE GROWN UNDER THE DEPARTMENT'S MARYLANDERS GROW OYSTERS PROGRAM.

(2) THE ALTERNATIVE MANAGEMENT PLAN SHALL PROVIDE A SCIENCE-BASED STRATEGY FOR INCREASING THE OYSTER POPULATION IN A DISTRESSED OYSTER SANCTUARY WITHIN 10 YEARS.

(3) THE ALTERNATIVE MANAGEMENT PLAN MAY INCLUDE:

(I) PUBLIC PLANTING OF OYSTER SHELL AND OYSTER SEED;

AND

(II) PUBLIC HARVESTING OF OYSTER SHELL AND OYSTER SEED THAT:

1. IS LIMITED IN DURATION AND HARVEST AMOUNT;

AND

2. OCCURS ONCE EVERY 3 TO 4 YEARS.

(C) (1) IF THE DEPARTMENT ESTABLISHES AN ALTERNATIVE MANAGEMENT PLAN UNDER THIS SECTION, THE DEPARTMENT SHALL ESTABLISH A SEPARATE ACCOUNT WITHIN THE DEPARTMENT'S OYSTER SHELL AND SEED REPLENISHMENT PROGRAM TO ASSIST WITH FUNDING FOR THE IMPLEMENTATION OF ALTERNATIVE MANAGEMENT PLANS.

(2) TWENTY-FIVE CENTS OF EVERY DOLLAR THAT THE DEPARTMENT SPENDS ON OYSTER RESTORATION SANCTUARY PROJECTS SHALL

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BE DEPOSITED INTO THE ACCOUNT ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION.”