

HB1201/753225/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1201
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Civil Penalty Surcharge –**”; in the same line, strike “**Fund**” and substitute “**Supplemental Environmental Projects**”; strike beginning with “establishing” in line 3 down through “violations” in line 8 and substitute “requiring the Department of the Environment to include oyster repletion projects in a certain database; requiring the Department to prioritize a supplemental environmental project involving certain oyster repletion projects for a party who is in violation of a certain effluent limitation or unpermitted discharge”; and strike in their entirety lines 10 through 19, inclusive, and substitute:

“BY adding to

Article – Environment

Section 1–306(b)(3)

Annotated Code of Maryland

(2013 Replacement Volume and 2021 Supplement)

(As enacted by Chapter ____ (S.B. 90/H.B. 595) of the Acts of the General Assembly of 2022)”.

AMENDMENT NO. 2

On page 1, after line 22, insert:

“1–306.

(B) (3) THE DEPARTMENT SHALL INCLUDE OYSTER REPLETION PROJECTS IN THE DATABASE.”.

On pages 1 through 5, strike beginning with line 23 on page 1 through line 19 on page 5, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

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(a) Subject to subsection (b) of this section, the Department of the Environment shall prioritize a supplemental environmental project involving oyster repletion in natural oyster bars in the county where the underlying water pollution violation occurred with input from the county oyster committee for a party who is in violation of an effluent limitation or unpermitted discharge in the proximity of an oyster population.

(b) If there are no suitable natural oyster bars for repletion in the county where the violation occurred, the natural oyster bar repletion project shall be carried out in an adjacent county.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect October 1, 2022, contingent on the taking effect of Chapter _____ (S.B. 90/H.B. 595) of the Acts of the General Assembly of 2022, and if Chapter _____ (S.B. 90/H.B. 595) does not become effective, Section 1 of this Act, with no further action required by the General Assembly, shall be null and void.”.

On page 5, in line 20, strike “2.” and substitute “4.”; and in the same line, after “That” insert “, except as provided in Section 3 of this Act.”.