

SB0199/819334/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 199
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “**Maryland**” insert “**Transportation –**”; in the same line, strike “– **Funding**” and substitute “**Funding and MARC Rail Extension Study**”; in line 4, after “of” insert “establishing the Purple Line Construction Zone Grant Program; establishing the purpose of the Grant Program; requiring the Department of Commerce to implement and administer the Grant Program; requiring the Department of Commerce, in consultation with the Department of Transportation, to adopt certain regulations; requiring the Department of Commerce and the Maryland Transit Administration to consult qualified small businesses for a certain purpose; requiring the Department of Commerce to make a certain application available as soon as practicable; establishing a maximum amount for a certain grant awarded; authorizing the Department of Commerce to award grants until a certain time; prohibiting the Department of Commerce from awarding more than one grant to the same business in a certain period of time; requiring that certain funds revert to the Maryland Economic Development Assistance Fund; requiring the Administration to report certain information in the Consolidated Transportation Program;”; in line 5, strike “Maryland Transit”; after line 15, insert “requiring the Department of Transportation to conduct a study on extending Maryland Area Regional Commuter (MARC) rail service to western Maryland; requiring the Department of Transportation to study and make recommendations regarding certain matters; requiring the Administration to incorporate certain recommendations into the Statewide Transit Plan; requiring the Department of Transportation to complete the study notwithstanding any alteration or postponement of the Statewide Transit Plan; requiring the Department of Transportation to report its findings and recommendations to the Governor and the General Assembly on or before a certain date;”; in line 16, strike “a”; in the same line, strike “term” and substitute “terms”; in line 17, after

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“Administration” insert “, the Statewide Transit Plan, and a study on extending MARC rail service to western Maryland”; and after line 17, insert:

“BY adding to

Article – Economic Development

Section 16-101 to be under the new title “Title 16. Purple Line Construction
Zone Grant Program”

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)”;

in line 20, after “Section” insert “2-103.1(c)(4)(vi) and (vii)”; in the same line, after “7–205” insert a comma; and after line 22, insert:

“BY adding to

Article - Transportation

Section 2-103.1(c)(4)(vii)

Annotated Code of Maryland

(2020 Replacement Volume)”.

AMENDMENT NO. 2

On page 3, after line 8, insert:

“Article – Economic Development

TITLE 16. PURPLE LINE CONSTRUCTION ZONE GRANT PROGRAM.

16–101.

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

(2) "GRANT PROGRAM" MEANS THE PURPLE LINE CONSTRUCTION ZONE GRANT PROGRAM.

(3) "QUALIFIED SMALL BUSINESS" MEANS A SOLE PROPRIETORSHIP, A PARTNERSHIP, A LIMITED PARTNERSHIP, A LIMITED LIABILITY PARTNERSHIP, A LIMITED LIABILITY COMPANY, OR A CORPORATION THAT:

(I) EMPLOYS 20 OR FEWER EMPLOYEES;

(II) IS INDEPENDENTLY OWNED AND OPERATED;

(III) IS NOT A SUBSIDIARY OF ANOTHER BUSINESS;

(IV) IS NOT DOMINANT IN ITS FIELD OF OPERATION; AND

(V) IS IMPACTED BY THE CONSTRUCTION OF THE PURPLE LINE LIGHT RAIL PROJECT IN MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY.

(B) (1) THERE IS A PURPLE LINE CONSTRUCTION ZONE GRANT PROGRAM.

(2) THE PURPOSE OF THE GRANT PROGRAM IS TO PROVIDE FUNDS TO QUALIFIED SMALL BUSINESSES TO ASSIST IN OFFSETTING BUSINESS REVENUE LOST AS A RESULT OF THE CONSTRUCTION OF THE PURPLE LINE LIGHT RAIL PROJECT IN MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY.

(3) IN EACH OF FISCAL YEARS 2023 AND 2024, THE DEPARTMENT OF COMMERCE SHALL PROVIDE \$1,000,000 IN GENERAL FUNDS TO THE GRANT PROGRAM TO ASSIST QUALIFIED SMALL BUSINESSES.

(C) THE DEPARTMENT OF COMMERCE SHALL IMPLEMENT AND ADMINISTER THE GRANT PROGRAM.

(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT OF COMMERCE, IN CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION, SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION, INCLUDING REGULATIONS TO ESTABLISH:

(I) ELIGIBILITY AND GRANT APPLICATION REQUIREMENTS;
AND

(II) A PROCESS FOR REVIEWING GRANT APPLICATIONS AND AWARDING GRANTS TO ELIGIBLE QUALIFIED SMALL BUSINESSES.

(2) IN DEVELOPING THE REGULATIONS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT OF COMMERCE AND THE MARYLAND TRANSIT ADMINISTRATION SHALL CONSULT QUALIFIED SMALL BUSINESSES TO ENSURE THAT THE ELIGIBILITY AND APPLICATION REQUIREMENTS FOR THE GRANT PROGRAM ARE NOT OVERLY BURDENSOME TO QUALIFIED SMALL BUSINESSES.

(3) THE DEPARTMENT OF COMMERCE SHALL MAKE THE APPLICATION DEVELOPED FOR PURPOSES OF THE GRANT PROGRAM AVAILABLE TO QUALIFIED SMALL BUSINESSES AS SOON AS PRACTICABLE.

(E) (1) (I) SUBJECT TO THE LIMITATIONS OF THIS PARAGRAPH, THE DEPARTMENT OF COMMERCE SHALL ESTABLISH, BY REGULATION, GUIDELINES TO CALCULATE THE AMOUNT OF A GRANT AWARDED UNDER THIS SECTION.

(II) IN ESTABLISHING GUIDELINES UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE DEPARTMENT OF COMMERCE MAY USE A 12-MONTH PROJECTION OF THE DIFFERENCE BETWEEN THE BUSINESS REVENUE OF A QUALIFIED SMALL BUSINESS DURING THE 3-MONTH PERIOD IMMEDIATELY PRECEDING THE START OF THE PURPLE LINE CONSTRUCTION COMPARED TO THE 3-MONTH PERIOD IMMEDIATELY FOLLOWING THE START OF THE PURPLE LINE CONSTRUCTION.

(III) A GRANT AWARDED UNDER THE GRANT PROGRAM MAY NOT EXCEED \$50,000.

(2) SUBJECT TO THE ELIGIBILITY REQUIREMENTS ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION, IF A QUALIFIED SMALL BUSINESS IS REQUIRED TO BE REGISTERED WITH THE STATE AND IS REGISTERED, THE QUALIFIED SMALL BUSINESS MAY APPLY FOR A GRANT UNDER THE GRANT PROGRAM REGARDLESS OF OWNERSHIP OR LOCATION.

(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT OF COMMERCE MAY AWARD GRANTS UNTIL ALL THE MONEY ALLOTTED FOR THE GRANT PROGRAM HAS BEEN AWARDED OR UNTIL DECEMBER 31, 2024, WHICHEVER OCCURS FIRST.

(II) THE DEPARTMENT OF COMMERCE MAY NOT AWARD MORE THAN ONE GRANT TO THE SAME QUALIFIED SMALL BUSINESS IN A 12-MONTH PERIOD.

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(4) ANY MONEY THAT HAS NOT BEEN AWARDED ON OR BEFORE DECEMBER 31, 2024, SHALL REVERT TO THE MARYLAND ECONOMIC DEVELOPMENT ASSISTANCE FUND.”;

after line 9, insert:

“2-103.1.

(c) (4) Annually, the Consolidated Transportation Program shall include a report that:

(vi) Provides a purpose and need summary statement that includes:

1. A general description and summary that describes why the project is necessary and satisfies State transportation goals, including Climate Action Plan goals required by the Greenhouse Gas Emissions Reduction Act of 2009 under § 2-1205(b) of the Environment Article;

2. The location of the project, including a map of the project limits, project area, or transportation corridor; and

3. A summary of how the project meets the selection criteria for inclusion in the capital program; [and]

(VII) PROVIDES THE MARYLAND TRANSIT ADMINISTRATION STATE OF GOOD REPAIR BUDGET FOR THE CURRENT FISCAL YEAR AND PROJECTIONS FOR THE SUBSEQUENT FISCAL YEAR; AND

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[(vii)] (VIII) Includes any other information that the Secretary believes would be useful to the members of the General Assembly, the general public, or other recipients of the Consolidated Transportation Program.”;

and in line 23, strike “**2028**” and substitute “**2029**”.

On page 4, in line 1, strike “**\$361,880,000**” and substitute “**\$402,037,183**”; in line 2, strike “**\$414,893,000**” and substitute “**\$502,081,501**”; in line 3, strike “**\$453,839,000**” and substitute “**\$450,000,000**”; in line 4, strike “**\$566,573,000**” and substitute “**\$450,000,000**”; in line 5, strike “**\$566,573,000**” and substitute “**\$450,000,000**”; in the same line, strike “AND”; and in line 6, strike “**\$531,573,000.**” and substitute “**\$450,000,000; AND**

(VII) FOR FISCAL YEAR 2029, AT LEAST \$318,558,000.”.

AMENDMENT NO. 3

On pages 4 and 5, strike beginning with “SERVING” in line 30 on page 4 down through “ADMINISTRATION” in line 1 on page 5.

AMENDMENT NO. 4

On page 6, after line 13, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) (1) In this section the following words have the meanings indicated.

(2) “Department” means the Department of Transportation.

(3) “Statewide Transit Plan” means a framework developed by the Maryland Transit Administration that provides a 50–year vision of coordinated local, regional, and intercity transit across the State, including defined public transportation goals and strategies for rural, suburban, and urban regions.

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(b) The Department shall conduct a study on the feasibility, including the cost, of extending MARC rail service to western Maryland.

(c) In conducting the study, the Department shall:

(1) Examine existing commuter rail facilities in the State and current transportation options in western Maryland;

(2) Explore up to three potential routes for expanding rail service to western Maryland;

(3) Identify the possibilities and challenges related to establishing and operating MARC rail service in western Maryland;

(4) Study the public transportation needs of Allegany County and Washington County in the vicinity of interstates 70 and 81;

(5) Confer with the following stakeholders:

(i) The Washington County Board of County Commissioners;

(ii) The City of Hagerstown;

(iii) Washington County residents;

(iv) Public transit advocates;

(v) Representatives of the local business community;

(vi) The Allegany County Board of County Commissioners;

(vii) The City of Cumberland;

(viii) Allegany County residents; and

(ix) The Town of Hancock;

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(6) Identify infrastructure needs;

(7) Perform a cost analysis of the capital and operating costs of extending MARC rail service to western Maryland;

(8) Identify all potential stops and estimate the potential ridership for each stop;

(9) Study and compare the potential ridership for rush-hour-only service and all-day service;

(10) Develop recommendations on the potential start and end points of a MARC extension; and

(11) Explore the potential effect that extending MARC rail service to western Maryland would have on CSX.

(d) The Department shall develop recommendations on the feasibility of planning, financing, constructing, and operating a MARC line that extends commuter rail service to western Maryland.

(e) On or before July 1, 2023, the Department shall submit a report of its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

(f) (1) The Maryland Transit Administration shall incorporate the recommendations of the study into the Statewide Transit Plan.

(2) Notwithstanding any alteration or postponement of the Statewide Transit Plan, the Department shall conduct the study in accordance with this section.”;

and in line 14, strike “3.” and substitute “4.”