

BY: Senator McCabe

AMENDMENTS TO SENATE BILL NO. 389, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 13 of the Economic and Environmental Affairs Committee Amendments (SB0389/754807/1), strike Amendment No. 10 in its entirety.

AMENDMENT NO. 2

On pages 14 and 15 of the Committee Amendments, strike Amendment No. 11 in its entirety.

AMENDMENT NO. 3

On page 1 of the bill, in line 24, strike "5-7B-08" and substitute "5-7B-09".

On page 7 of the bill, strike lines 19 through 39 in their entirety and substitute:

"5-7B-07.

(A) TO BE ELIGIBLE FOR FUNDING FOR GROWTH-RELATED PROJECTS, A LOCAL GOVERNMENT SHALL CERTIFY TO THE OFFICE OF PLANNING ANY AREAS DESIGNATED BY THE LOCAL GOVERNMENT AS A PRIORITY FUNDING AREA UNDER § 5-7B-03 OF THIS SUBTITLE, WHICH SHALL BE CONSISTENT WITH THE LOCAL COMPREHENSIVE PLAN AND THE CRITERIA SET FORTH IN § 5-7B-03 OF THIS SUBTITLE.

(B) PRIOR TO CERTIFICATION OF A PRIORITY FUNDING AREA OR AREAS, THE LOCAL GOVERNMENT MAY SUBMIT THE PROPOSED PRIORITY FUNDING AREAS AND ANY RELEVANT INFORMATION TO THE OFFICE OF PLANNING FOR:

(1) TECHNICAL ASSISTANCE, REVIEW, AND COMMENT; AND

(Over)

(2) THE OPPORTUNITY FOR PUBLIC REVIEW.

(C) UPON CERTIFICATION OF A PRIORITY FUNDING AREA, THE LOCAL GOVERNMENT SHALL PROVIDE TO THE OFFICE OF PLANNING ALL INFORMATION NECESSARY TO DEMONSTRATE THE PRECISE LOCATION OF THE AREA, INCLUDING A MAP OF THE AREA SHOWING PLANNING AND ZONING CHARACTERISTICS, AND EXISTING AND PLANNED WATER AND SEWER SERVICES AS APPROPRIATE.

(D) UPON RECEIPT OF CERTIFICATION FOR A PRIORITY FUNDING AREA UNDER SUBSECTION (A) OF THIS SECTION, THE OFFICE OF PLANNING SHALL REVIEW AND COMMENT ON THE CERTIFIED PRIORITY FUNDING AREA FOR CONSISTENCY WITH THE REQUIREMENTS OF THIS SUBTITLE.

(E) THE OFFICE OF PLANNING, AS APPROPRIATE, SHALL PROVIDE TO EACH STATE AGENCY THAT FUNDS GROWTH-RELATED PROJECTS COPIES OF MAPS ILLUSTRATING:

(1) PRIORITY FUNDING AREAS CERTIFIED BY THE LOCAL GOVERNMENT;

AND

(2) ANY COMMENTS BY THE OFFICE OF PLANNING ON THE AREAS CERTIFIED.

(F) PRIOR TO FUNDING A GROWTH-RELATED PROJECT, THE STATE FUNDING AGENCY SHALL:

(1) OBTAIN FROM THE AFFECTED LOCAL GOVERNMENT A WRITTEN STATEMENT THAT THE PROPOSED GROWTH-RELATED PROJECT IS LOCATED WITHIN A CERTIFIED PRIORITY FUNDING AREA; AND

(2) ASSURE THAT THE DECISION TO FUND THE PROJECT IS CONSISTENT WITH THE COMMENTS MADE BY THE OFFICE OF PLANNING ON THE CERTIFIED PRIORITY FUNDING AREA IN WHICH THE PROJECT IS LOCATED.”.

AMENDMENT NO. 4

On page 15 of the Committee Amendments, in line 2 of Amendment No. 12, strike “5-7B-09.” and “5-7B-10.” and substitute “5-7B-08.” and “5-7B-09.”, respectively.