

**SB0236/840412/1**

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 236  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “authorizing” in line 29 down through “circumstances;” in line 33.

On page 3, in line 2, after “Commission;” insert “requiring the Department of the Environment to propose certain regulations by a certain date; requiring the Department of the Environment to consult with certain counties and stakeholders in drafting certain proposed regulations; requiring the Department of the Environment to brief certain committees of the General Assembly on certain proposed regulations; requiring the Department of Planning, in consultation with the Department of the Environment, to submit a certain report to the General Assembly by a certain date;”.

AMENDMENT NO. 2

On page 12, in line 26, after “A” insert “RESIDENTIAL”; and in the same line, strike “RESIDENTIAL”.

On page 13, in line 1, after “A” insert “RESIDENTIAL”; in the same line, strike “RESIDENTIAL”; in line 7, after “SECTION” insert “AND SUBJECT TO SUBSECTION (I) OF THIS SECTION”; and in line 25, strike “1.05” and substitute “1.06”.

On page 17, in line 3, after “A” insert “RESIDENTIAL”; and in the same line, strike “RESIDENTIAL”.

AMENDMENT NO. 3

(Over)

On page 14, in line 27, after "DEPARTMENT" insert "AND THE DEPARTMENT MAY APPROVE"; and in line 28, strike "DETERMINED" and substitute "RECOMMENDED".

AMENDMENT NO. 4

On page 18, strike beginning with "AND" in line 24 down through "SECTION" in line 25.

On pages 18 and 19, strike in their entirety the lines beginning with line 30 on page 18 through line 15 on page 19, inclusive.

On page 19, in line 16, strike "(N) (1)" and substitute "(2)"; in lines 17 and 18, strike "AS PROVIDED IN THIS SECTION,"; in lines 21, 24, and 28, strike "(2)", "(3)", and "(4)", respectively, and substitute "(3)", "(4)", and "(5)", respectively.

On page 27, in line 22, strike the comma.

AMENDMENT NO. 5

On page 28, in line 30, strike "PROVIDE DOCUMENTATION TO THE DEPARTMENT OF PLANNING OF" and substitute "DOCUMENT".

On page 45, in lines 24 and 25, strike "PROVIDE DOCUMENTATION TO THE DEPARTMENT OF PLANNING OF" and substitute "DOCUMENT".

AMENDMENT NO. 6

On page 32, strike in their entirety lines 14 and 15; in line 16, strike "(6)" and substitute "(5)"; and after line 20, insert:

"(6) "SHARED FACILITY" HAS THE MEANING STATED IN § 9-206 OF THE ENVIRONMENT ARTICLE."

On page 49, strike in their entirety lines 12 and 13; in line 14, strike “(6)” and substitute “(5)”; and after line 18, insert:

**“(6) “SHARED FACILITY” HAS THE MEANING STATED IN § 9-206 OF THE ENVIRONMENT ARTICLE.”**

AMENDMENT NO. 7

On page 36, in line 22, strike “(G)” and substitute “(g)”; in the same line, strike “(H)(2)” and substitute “(f)(2)”; in line 23, strike beginning with “, the” through “approve” and substitute “and subject to subsection (i) of this section, a local jurisdiction may authorize”; in line 24, strike “ONLY” and substitute “only”; strike beginning with the comma in line 27 down through “subdivision” in line 28; and in line 29, strike “1.05” and substitute “1.06”.

On pages 36 and 37, strike beginning with the semicolon in line 30 on page 36 down through “ARTICLE” in line 3 on page 37.

On page 37, strike lines 13 through 20, inclusive.

AMENDMENT NO. 8

On page 48, in line 26, strike “DEVELOPMENT REGULATIONS ELEMENT OF THE”; in the same line, after “PLAN” insert “OR AN ELEMENT OF THE PLAN”; in lines 31 and 32, strike “DEVELOPMENT REGULATIONS ELEMENT OF THE”; and in line 32, after “PLAN” insert “OR AN ELEMENT OF THE PLAN”.

AMENDMENT NO. 9

On page 52, after line 2, insert:

**“SECTION 8. AND BE IT FURTHER ENACTED, That:**

(a) on or before December 31, 2012, the Department of the Environment shall propose regulations that establish nutrient offset requirements for new residential major subdivisions within Tier III areas that are to be served by on-site sewage disposal systems or shared systems;

(b) the Department shall consult with the counties and other stakeholder groups during the drafting of the proposed regulations required under subsection (a) of this section;

(c) the Department shall brief the House Environmental Matters Committee and the Senate Education, Health, and Environmental Affairs Committee before the submission of the proposed regulations required under subsection (a) of this section to the Joint Committee on Administrative, Executive, and Legislative Review; and

(d) this section does not apply to, or limit the ability of the Department to develop nutrient trading and offset programs related to Maryland's Chesapeake Bay TMDL Watershed Implementation Plan.

SECTION 9. AND BE IT FURTHER ENACTED, That, on or before February 1, 2013, the Department of Planning, in consultation with the Department of the Environment, shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on:

(a) the adoption of the tiers, as provided in Article 66B, § 1.05 of the Code and Title 1, Subtitle 5 of the Land Use Article, as enacted by this Act, by each local jurisdiction, including mapped areas of the tiers;

(b) each jurisdiction that has adopted or altered a local ordinance or regulation in implementing the provisions of this Act, including a description of the adopted or altered local ordinance or regulation; and

(c) each jurisdiction for which the Department of Planning has provided comments on any of the tiers or an area within one of the tiers under Article 66B, § 1.05 of the Code and § 1-505 of the Land Use Article, as enacted by this Act.”;

in line 3, strike “8.” and substitute “10.”; in line 7, strike “9.” and substitute “11.”; and in line 8, strike “8” and substitute “10”.