

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 987
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “adopt” insert “and implement”; in line 14, after “to” insert “establish and”; in line 16, after “manner;” insert “authorizing a county or municipality to use certain calculation methods to set a stormwater remediation fee;”; in line 20, after “to” insert “establish policies and procedures approved by the Department of the Environment to”; in the same line, after “a” insert “certain”; and in the same line, strike “in accordance with certain”.

On page 2, in line 1, strike “policies and procedures”; in line 2, after “items;” insert “authorizing a county or municipality to monitor and verify the effectiveness of certain measures in a certain manner;”; and strike beginning with the first comma in line 2 down through “fee;” in line 6 and substitute “the assessment of a stormwater remediation fee on a property by both a county and a municipality; requiring a county to provide certain notice and a reasonable time to pass a certain ordinance before the county may impose a stormwater remediation fee on property located within a municipality; requiring a municipality to provide certain notice and a reasonable time for a county to discontinue collecting a certain stormwater remediation fee under certain circumstances;”.

AMENDMENT NO. 2

On page 4, in line 12, strike “**PROPERTY**”; in the same line, after “**OWNERS**” insert “**OF PROPERTY LOCATED**”; and strike in their entirety lines 18 through 21, inclusive, and substitute:

**“(II) A COUNTY OR MUNICIPALITY MAY SET A STORMWATER
REMEDATION FEE UNDER THIS PARAGRAPH BASED ON:**

(Over)

1. A FLAT RATE;
2. AN AMOUNT THAT IS GRADUATED, BASED ON THE AMOUNT OF IMPERVIOUS SURFACE ON EACH PROPERTY; OR
3. ANOTHER METHOD OF CALCULATION SELECTED BY THE COUNTY OR MUNICIPALITY.”.

AMENDMENT NO. 3

On page 5, in line 7, strike “(4)” and substitute “(3)”; and in line 18, strike “THAT IS BASED ON THE AMOUNT OF IMPERVIOUS SURFACE ON A PROPERTY”.

AMENDMENT NO. 4

On page 6, in line 6, strike “ANNUALLY”; and after line 9, insert:

“(3) FOR THE PURPOSE OF MONITORING AND VERIFYING THE EFFECTIVENESS OF ON-SITE SYSTEMS, FACILITIES, SERVICES, OR ACTIVITIES UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION, A COUNTY OR MUNICIPALITY MAY:

- (i) CONDUCT ON-SITE INSPECTIONS;
- (ii) AUTHORIZE A THIRD PARTY, CERTIFIED BY THE DEPARTMENT, TO CONDUCT ON-SITE INSPECTIONS ON BEHALF OF THE COUNTY OR MUNICIPALITY; OR
- (iii) REQUIRE A PROPERTY OWNER TO HIRE A THIRD PARTY, CERTIFIED BY THE DEPARTMENT, TO CONDUCT AN ON-SITE INSPECTION AND PROVIDE TO THE COUNTY OR MUNICIPALITY THE RESULTS OF THE INSPECTION AND ANY OTHER INFORMATION REQUIRED BY THE COUNTY OR MUNICIPALITY.”.

AMENDMENT NO. 5

On page 6, strike in their entirety lines 12 through 18, inclusive, and substitute:

“(2) (I) BEFORE A COUNTY MAY IMPOSE A STORMWATER REMEDIATION FEE ON A PROPERTY LOCATED WITHIN A MUNICIPALITY, THE COUNTY SHALL:

1. NOTIFY THE MUNICIPALITY OF THE COUNTY’S INTENT TO IMPOSE A STORMWATER REMEDIATION FEE ON PROPERTY LOCATED WITHIN THE MUNICIPALITY; AND

2. PROVIDE THE MUNICIPALITY REASONABLE TIME TO PASS AN ORDINANCE AUTHORIZING THE IMPOSITION OF A MUNICIPAL STORMWATER REMEDIATION FEE INSTEAD OF A COUNTY STORMWATER REMEDIATION FEE.

(II) IF A COUNTY CURRENTLY IMPOSES A STORMWATER REMEDIATION FEE ON PROPERTY LOCATED WITHIN A MUNICIPALITY AND THE MUNICIPALITY DECIDES TO IMPLEMENT ITS OWN STORMWATER REMEDIATION FEE UNDER THIS SECTION OR § 4-204 OF THIS SUBTITLE, THE MUNICIPALITY SHALL:

1. NOTIFY THE COUNTY OF THE MUNICIPALITY’S INTENT TO IMPOSE ITS OWN STORMWATER REMEDIATION FEE; AND

2. PROVIDE THE COUNTY REASONABLE TIME TO DISCONTINUE THE COLLECTION OF THE COUNTY STORMWATER REMEDIATION FEE WITHIN THE MUNICIPALITY BEFORE THE MUNICIPALITY’S STORMWATER REMEDIATION FEE BECOMES EFFECTIVE.”.

(Over)

AMENDMENT NO. 6

On page 7, in line 7, strike "A" and substitute "**SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, A**".

On page 8, after line 4, insert:

"(5) A COUNTY OR MUNICIPALITY MAY USE ITS LOCAL WATERSHED PROTECTION AND RESTORATION FUND AS AN ENVIRONMENTAL FUND, AND MAY DEPOSIT TO AND EXPEND FROM THE FUND ADDITIONAL MONEY MADE AVAILABLE FROM OTHER SOURCES AND DEDICATED TO ENVIRONMENTAL USES, PROVIDED THAT THE FUNDS RECEIVED FROM THE STORMWATER REMEDIATION FEE ARE EXPENDED ONLY FOR THE PURPOSES AUTHORIZED UNDER PARAGRAPH (4) OF THIS SUBSECTION.";

in lines 5 and 8, strike "**(5)**" and "**(6)**", respectively, and substitute "**(6)**" and "**(7)**", respectively; in line 21, after "**(J)**" insert "**(1)**"; and after line 24, insert:

"(2) A COUNTY OR MUNICIPALITY MAY ESTABLISH A SEPARATE HARDSHIP EXEMPTION PROGRAM OR INCLUDE A HARDSHIP EXEMPTION AS PART OF A SYSTEM OF OFFSETS ESTABLISHED UNDER SUBSECTION (F)(1) OF THIS SECTION."