

BY: Senator Hafer

AMENDMENTS TO SENATE BILL NO. 517

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the semicolon insert "providing certain mineral rights for certain owners under certain circumstances; authorizing the State to purchase certain rights under certain circumstances; defining certain terms;"; and in line 17, strike "(aa)" and substitute "(bb)".

AMENDMENT NO. 2

On page 49, after line 40, insert:

"(BB) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) "MINERAL" INCLUDES ANY GAS, OIL, COAL, PEAT, CLAY, STONE, OR FOSSIL FUEL LOCATED UNDER A WILDLAND AREA.

(III) "OWNER" INCLUDES ANY PERSON THAT IS:

1. A LESSEE OR PARTY IN INTEREST; AND

2. ANY SUCCESSOR OR ASSIGN.

(2) SUBJECT TO REVIEW, PERMIT, AND APPROVAL ACTIONS REQUIRED BY LAW, AN OWNER OF MINERAL RIGHTS LOCATED IN A WILDLAND AREA SHALL HAVE THE RIGHT TO ACCESS THE MINERALS.

(3) IF THE FAILURE OF THE DEPARTMENT TO ISSUE, EXTEND, OR RENEW A PERMIT INVOLVES TAKING A PROPERTY RIGHT WITHOUT JUST COMPENSATION IN VIOLATION OF THE CONSTITUTION OF THE UNITED STATES OR

(Over)

CONSTITUTION OF MARYLAND AND IF THE GENERAL ASSEMBLY HAS NOT APPROPRIATED SUFFICIENT FUNDS TO PAY THE COMPENSATION, THE STATE MAY USE AVAILABLE FUNDS TO PURCHASE OR OTHERWISE PAY FOR THE PROPERTY RIGHTS.”.