

BY: Conference Committee

AMENDMENTS TO HOUSE BILL NO. 507

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “designations;” insert “requiring the Board to report annually to the Governor and the General Assembly; requiring the Governor to include in the annual capital budget a certain minimum amount; declaring the intent of the General Assembly; authorizing the Governor to transfer certain funds by budget amendment;”; and in line 23, strike “5-9A-08” and substitute “5-9A-09”.

AMENDMENT NO. 2

On page 2, strike beginning with “FISCAL” in line 36 down through the semicolon in line 38; after line 38 insert:

“A. IN FISCAL YEAR 1998, \$4 MILLION;

B. IN FISCAL YEAR 1999, \$5 MILLION;

C. IN FISCAL YEAR 2000, \$6 MILLION;

D. IN FISCAL YEAR 2001, \$7 MILLION; AND

E. IN FISCAL YEAR 2002 AND EACH FISCAL YEAR THEREAFTER, \$8 MILLION.”.

On pages 2 and 3, strike in their entirety the lines beginning with line 39 on page 2 through line 11 on page 3, inclusive.

On page 3, after line 11, insert:

(Over)

“2. IN EACH FISCAL YEAR, UP TO \$2 MILLION OF THE FUNDS TRANSFERRED UNDER THIS SUBPARAGRAPH TO THE RURAL LEGACY PROGRAM MAY BE USED TO PURCHASE ZERO COUPON BONDS FOR EASEMENTS.”.

AMENDMENT NO. 3

On page 4, in line 22, after “STATE,” insert “AND”; and strike beginning with “WITH” in line 28 down through the second “ARTICLE” in line 30 and substitute “:

(1) PURSUANT TO § 13-209 OF THE TAX - PROPERTY ARTICLE AND § 5-903(A)(2)(III) OF THIS ARTICLE; AND

(2) BY THE PROCEEDS FROM THE SALE OF GENERAL OBLIGATION BONDS AS PROVIDED IN § 5-9A-09 OF THIS SUBTITLE.

(D) WHEN NEGOTIATING AND AWARDED GRANTS, THE BOARD SHALL ENCOURAGE SPONSORS TO UTILIZE ZERO COUPON BONDS IN THE IMPLEMENTATION OF THE RURAL LEGACY PLAN IN ORDER TO REDUCE THE UTILIZATION OF GENERAL OBLIGATION BONDS IN FUNDING THE GRANTS.”.

AMENDMENT NO. 4

On page 5, strike beginning with “AS” in line 1 down through “ARTICLE” in line 2 and substitute “THAT:

(1) IS A QUALIFIED ORGANIZATION UNDER § 170(H)(3) OF THE INTERNAL REVENUE CODE AND REGULATIONS ADOPTED UNDER § 170 (H)(3); AND

(2) HAS EXECUTED A COOPERATIVE AGREEMENT WITH THE MARYLAND ENVIRONMENTAL TRUST”.

AMENDMENT NO. 5

On page 5, in line 28, after “(B)” insert “(1)”; in line 29, after the period, insert:

“(2)”;

in lines 33 and 34, strike “THE FAIR MARKET VALUE OF”; in line 36, before “ANY” insert “(2)”; and in line 37, strike the colon and substitute “MAY NOT INCLUDE A VALUE FOR ANY RESOURCE USED OR RESERVED BY THE OWNER FOR PRIVATE ECONOMIC BENEFIT.”.

On page 6, strike in their entirety lines 1 through 10, inclusive.

On page 7, in line 1, strike “INCLUDING RARE, THREATENED, OR ENDANGERED SPECIES.”; in line 10, after “PROTECTION” insert “THROUGH FEE SIMPLE PURCHASES”; and strike beginning with “AND” in line 11 down through “RESOURCES” in line 13.

AMENDMENT NO. 6

On page 8, in line 27, after “(2)” insert “(I)”; strike beginning with “SPONSOR” in line 28 down through “CONSULTATION” in line 31 and substitute “MUNICIPAL CORPORATION SHALL HAVE 45 DAYS TO REVIEW AND COMMENT ON THE APPLICATION BEFORE THE APPLICATION IS SUBMITTED TO THE BOARD”; after line 31, insert:

“(II) THE SPONSOR SHALL SUBMIT TO THE BOARD WITH THE COMPLETED APPLICATION A SUMMARY OF THE COMMENTS FROM THE MUNICIPAL CORPORATION.”;

in line 32, after “(F)” insert “(1)”; in line 33, strike “, AND” and substitute “.

(2)”;

and in line 33, after “APPROVE” insert “OR AMEND”.

AMENDMENT NO. 7

On page 9, in line 8, after “(K)” insert “ALL EASEMENT ACQUISITIONS MUST BE RECORDED AMONG THE LAND RECORDS WHERE THE REAL PROPERTY IS LOCATED.”.

(L) STATE OR LOCAL CONDEMNATION AUTHORITY MAY NOT BE USED TO ACQUIRE REAL PROPERTY INTERESTS UNDER THIS PROGRAM.

(Over)

(M) FUNDS MAY BE USED FOR THE PROTECTION OF HISTORIC SITES OR SIGNIFICANT ARCHEOLOGICAL AREAS THAT OTHERWISE MEET THE GOALS OF THIS PROGRAM ONLY IF THE SPONSOR IS ACQUIRING REAL PROPERTY INTERESTS THROUGH A FEE SIMPLE PURCHASE.

(N)”;

and strike in their entirety lines 11 and 12.

AMENDMENT NO. 8

On page 9, strike beginning with “ADMINISTRATIVE” in line 21 down through “GRANT” in line 24 and substitute “:

(I) ADMINISTRATIVE COSTS, NOT TO EXCEED 3% OF THE GRANT AMOUNT; AND

(II) PROGRAM COMPLIANCE COSTS FOR MONITORING EASEMENTS, AS STATED IN THE GRANT AGREEMENT”.

AMENDMENT NO. 9

On page 11, strike beginning with “REPRESENTATIVE” in line 7 down through “INDUSTRY” in line 8 and substitute “PRIVATE LAND OWNER”; and strike lines 9 and 10 in their entirety and substitute:

“(10) A REPRESENTATIVE OF THE MINERAL RESOURCES INDUSTRY; AND”.

AMENDMENT NO. 10

On page 11, after line 26, insert:

“5-9A-09.

THE GOVERNOR SHALL INCLUDE IN THE ANNUAL CAPITAL BUDGET AN AMOUNT NOT LESS THAN \$5 MILLION FOR THIS PROGRAM.”.

AMENDMENT NO. 11

On page 12, strike beginning with “AND” in line 20 down through “YEAR” in line 21; in line 24, strike “30%” and substitute “60%”; in line 25, after the scored semicolon insert “AND”; in line 27, strike “; AND” and insert a period; after line 27, insert:

“(7) FOR THE FISCAL YEAR COMMENCING JULY 1, 1998 AND FOR EACH SUBSEQUENT FISCAL YEAR, 90% OF THE BALANCE SHALL BE ALLOCATED AS PROVIDED UNDER SUBSECTION (D) OF THIS SECTION AND 10% SHALL BE ALLOCATED AS FOLLOWS:

(I) 50% TO THE RURAL LEGACY PROGRAM ESTABLISHED UNDER TITLE 5, SUBTITLE 9A OF THE NATURAL RESOURCES ARTICLE;

(II) 40% TO THE AGRICULTURAL LAND PRESERVATION FUND ESTABLISHED UNDER § 2-205 OF THE AGRICULTURE ARTICLE; AND”;

and in line 28, strike “30%” and substitute “10%”.

AMENDMENT NO. 12

On page 12, in line 30, after “2.” insert “AND BE IT FURTHER ENACTED, That, to the extent provisions of this Act provide for an allocation of funds different from that provided for in the Budget Bill, Chapter _____ of the Acts of 1997 (H.B. 175), it is the intent of the General Assembly that the allocation provided under this Act shall control. The Governor is hereby authorized to transfer funds by approved budget amendment to the extent required to effect the fund allocation provided under this Act.”

Section 3.”;

and in line 35, strike “3.” and substitute “4.”.

(Over)